

# **ADMISSION AND ORIENTATION HANDBOOK**



## **FEDERAL PRISON CAMP YANKTON, SD**

**JANUARY 2009**

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## **INMATE INFORMATION HANDBOOK**

# **Federal Bureau of Prisons**

## **INTRODUCTION**

The purpose of this handbook is to provide incoming inmates and others interested in the Federal Bureau of Prisons with general information regarding the Bureau, its programs, institutions, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the Bureau or all procedures in effect at each Bureau location. That information will be made available during the institution's Admission and Orientation (A&O) program. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison and will assist them in their initial adjustment to institution life.

### **YOU ARE RESPONSIBLE FOR KNOWING AND ABIDING TO THE CONTENTS OF THIS HANDBOOK ONCE IT HAS BEEN ISSUED TO YOU.**

The Federal Prison Camp, Yankton, South Dakota, is located at 11th and Douglas Streets. The housing units consist of Durand, Kingsbury, and Lloyd Halls. Durand unit is specifically designated to house those inmates participating in the Residential Drug Abuse Program. The mailing address for inmate correspondence is:

John Smith, Reg. No. XXXXX-XXX  
Federal Prison Camp  
P.O. Box 700, XXXXXX Unit  
Yankton, SD 57078

Telephone number (605) 665-3262 (For emergencies only)

## **INTAKE, CLASSIFICATION, AND THE UNIT TEAM ORIENTATION**

Inmates are given a case management and medical screening at the time of arrival and will also be screened by the Mental Health Staff. Inmates are immediately provided with a copy of the institution's rules and regulations, which includes information on inmate rights and responsibilities.

Inmates will attend A&O, (Admission & Orientation) ordinarily within two weeks where they learn about the programs, services, policies, and procedures regarding the facility. Also, they will hear lectures from the staff regarding their programs and departments. Inmates are expected to bring their copy of this handbook to this A&O program.

### **CLASSIFICATION TEAMS (Unit Teams)**

All Bureau of Prisons institutions are organized into a unit management system. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team. The unit staff offices are located in the units so staff and inmates can be accessible to each other. The unit staff typically includes the Unit Manager, Case Manager, Correctional Counselor, and one Unit Secretary. When available, the Staff Psychologist, Education Advisor, and Unit Officer will sit on a Unit Team and be considered as unit staff.

Immediately upon arrival, inmates are assigned to a specific Unit Team. Generally the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including release planning,

personal and family problems, counseling, and assistance in setting and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution weekdays from 7:30 A.M. to 9:00 P.M. and 7:30 A.M. to 4:00 P.M. on weekends and holidays.

The Unit Team members usually schedule their working hours in such a manner that one of them will be available at times when inmates are not working.

### **GENERAL FUNCTIONS OF UNIT STAFF**

**Unit Manager:** The Unit Manager is the administrative head of the unit and oversees all unit programs and activities. He or she is a department head at the institution and has a close working relationship with other departments and personnel. The Unit Manager is the "Chairperson" of the team, reviews all team decisions, and ordinarily chairs the Unit Discipline Committee.

**Case Manager:** The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. The Case Manager serves as a liaison between the inmate, the administration, and the community. The Case Manager serves as a member of the Unit Discipline Committee.

**Correctional Counselor:** The Correctional Counselor provides counseling and guidance in areas of institutional adjustment, personal difficulties, and future planning. He or she plays a leading role in all segments of unit programs and is a member of the Unit Team. The Correctional Counselor visits inmate work assignments regularly and is the individual to approach for daily problems. The Correctional Counselor serves as a member of the Unit Discipline Committee.

**Unit Secretary:** The Unit Secretary performs clerical and administrative duties.

**Unit Officer:** The Unit Officers have direct responsibility for the day to day supervision of inmates and the enforcement of rules and regulations. They have safety, security and sanitation responsibilities in the unit and are in regular contact with inmates. Unit Officers are jointly supervised by the Unit Manager and the Captain during his or her unit assignment.

The unit bulletin boards contain written communication of interest to inmates. Unit Managers may utilize town hall meetings at his or her discretion to foster improved communication.

### **PROGRAM REVIEWS**

Program reviews will be held every 90 or 180 days, depending on length of sentence remaining. These are held by the Unit Teams to review subjects such as programs, work assignments, transfers, custody, and institutional adjustment.

### **TOWN HALL MEETINGS**

These meetings are held to make announcements and to discuss changes in the policy and procedures of the unit. Inmates desiring specific topics addressed need to submit an inmate request to staff member prior to the meeting. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the unit as a whole, rather than personal questions or problems. Personal problems will be resolved by unit staff members during the regular working hours which are posted in each unit.

### **TEAM PARTICIPATION IN PAROLE HEARINGS**

The Case Manager prepares Progress Reports with input from the Unit Team and compiles other information in the inmate's central file for presentation to the U.S. Parole Commission or other appropriate agencies. FPC Yankton does not facilitate parole hearings.

## TREATY TRANSFERS FOR NON-U.S. INMATES

Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence in a prison there. This only is possible for inmates whose country has a formal prisoner exchange treaty with the United States. The Unit Team is the source of information about these transfers and can tell an inmate if their home country has signed this kind of agreement with the U.S., and if so, how to apply for transfer.

Non-United States citizens wishing to contact a representative of their country's consulate may request to do so through their assigned Case Manager.

## DAILY INMATE LIFE

### SANITATION

It is the inmate's responsibility to check his living area immediately after being assigned there and to report all damage to the Correctional Officer, Case Manager, or Counselor. An inmate may be held financially liable for any damage to his personal living area.

- Smoking is prohibited in all areas of the institution.
- Each inmate is responsible for making his bed in accordance with regulations before work call (including weekends and holidays when he leaves the area). **At no time will a mattress be removed from a bunk and placed on the floor.** Each inmate is also responsible for sweeping and mopping his personal living area, removing trash, and ensuring it is clean and sanitary.
- Lockers must be neatly arranged inside and out and all shelves must be neat and clean.
- Walls, light fixtures, and shelves must be clean and free of dust.
- The desk area must be clean and organized daily.
- Lights must be off when out of the room. No covers of any kind are allowed on lighting fixtures or heating or air conditioning units.
- All brass, both inside and outside the room, will be polished and shined at all times. It is the responsibility of the inmate assigned to the room.
- The room door and frame must be free of dust and dirt, both inside and outside.
- Room door windows will be kept clean and uncovered at all times.
- Windows, window ledges, and screens will be cleaned daily.
- Room arrangement will be according to the authorized room plan.
- Cardboard boxes, shoe boxes and paper sacks will not be used for storage or trash containers.
- Trash and wastebaskets are to be emptied prior to 7:45 A.M. each day and kept free of trash during the day.
- Heat and air conditioning units are not to be operating when room windows are open.

All inmates will have their rooms ready for inspection by 7:45 A.M. "Work Call"

Monday-Friday, and 10:00 A.M. on Saturday, Sunday, and holidays. If an inmate is on vacation status, their room is to be ready by 10:00 A.M., but the bed must be made by 7:45 A.M.

Inmates may lay on top of a made bed. Each inmate is responsible for the cleaning and sanitation of his room. Inmates may be assigned cleaning tasks in the unit during off hours.

A Sanitation Incentive Award Program has been established whereby the unit receiving the highest safety sanitation inspection rating for the week will be released first to commissary and mainline. Additionally, the Unit Officer will conduct a weekly sanitation inspection of the individual inmate rooms to select a "room or cube of the week". Inmates in those rooms will be allowed to go to commissary and mainline before the population of their unit is called.

## PERSONAL PROPERTY LIMITS

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure that excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the living area.

Due to the limited space, the quantities listed herein are cumulative totals for institutional issue items. Totals of institutional inmate property will not exceed these limits:

A. Institution Issue Clothing and Bedding:

4	Shirts	1	Raincoat
4	Trousers	1	Work Jacket
6 pr	Underwear (White Boxer)	1set	Long Johns
6	T-shirts (White or Brown)	1	Stocking Cap
6 pr	Socks	1set	Sheets
4	Handkerchiefs (White)	1	Gray Wool Blanket
1	Belt	1	Pillowcase
1 pr	Safety Shoes (Steel Toe)	1	Pillow
3	Bath Towels	3	Wash Cloths
1	White Cotton Bedspread (Blanket)		
1 pr	Mittens or Gloves	2	Laundry Bags
1	Scarf		

The clothing issue has white canvas athletic shoes in stock. Upon approval of the Unit Manager, these shoes will be issued to inmates who do not have the monies to purchase a pair of athletic shoes through the commissary. To be eligible, an inmate must not have deposits to his commissary account averaging over \$35.00/month for a 6-month period or have other resources available to him with which to purchase a pair of athletic shoes at the commissary. Inmates in FRP "Refuse" may not receive these shoes. A copy of all approved shoe requests will be forwarded by the Unit Manager to the clothing officer who will put the inmate on call out to pick up his shoes. As with all institution-issued clothing, these shoes will be turned in to the clothing room when the inmate leaves this institution.

- B. Legal Materials: Must be pertaining to the inmate's current sentence or litigation. This material is not to exceed two cubic feet under most circumstances. Requests for additional space must be forwarded to the Unit Manager.
- C. Religious Materials or Clothing Items: Must be approved by the Chaplain.
- D. Toilet and Grooming Items: Are to be purchased in the commissary or mailed from another institution. They may not be brought into the institution by self commitments, nor mailed or brought into the institution from the U.S. Marshal's Service.
- E. Hobbycraft Items: Are to be ordered through the recreation department. Hobbycraft items may be purchased with a special purchase order once in a 30-day period not to exceed the current monthly spending limit. The maximum dollar amount for hobbycraft items is \$300.00 (cost price) per quarter. Leathercraft raw materials are not permitted in the units. One leathercraft article is permitted in the unit for lacing purposes only. Hobbycraft raw materials (drawing pencils, beading supplies, yarn products) are permitted in the units but are limited to that which can be stored in the inmate's locker, provided they do not pose a safety, sanitation, or security hazard.

Storage space may be obtained through a Recreation Specialist in the hobby shop. Disposition of completed hobbycraft items must be arranged with the Recreation Specialist immediately after completion.

- F. Commissary Items: Are not to exceed the allowable monthly spending limit, excluding stamps and hygiene items. A shopping list of commissary items may be obtained from the Unit Officer.

**Stamps:** An inmate may not have in his possession more than 60 first class stamps at any one time. He may not receive stamps through the U.S. mail; all stamps must be purchased through the commissary.

- G. Medication: Medication will be issued by the Health Services Department and will be labeled with an expiration date. Over-the-counter medication may be bought through commissary. Contact lens solutions and other related supplies must be authorized by Health Services.

- H. Personal Clothes: Inmates are allowed to possess the following personal clothing. All clothing items are to be purchased from commissary.

- 5 Colored T-shirts or Tank Tops (Gray)
- 2 pr Gym Shorts (Gray)
- 2 Sweat Suits (Gray) Not to be worn as an outer garment with the work uniform.
- 1 pr Athletic Shoes (White, Black, White/Black in color). Each pair must be valued at \$100.00 or less, no pumps, no pockets.
- 1 pr Shoes, Speciality, Court, Turf or Running. (White, Black, White/Black in color) Each pair must be valued at \$100 or less, no pumps and no pockets.
- 7 pr Underwear (White)
- 5 pr Socks (White)
- 1 Bathrobe (White or Gray, no hood)
- 1 pr Shoes, Work
- 5 Handkerchiefs (White)
- 1 pr Shoes, Soft-Medically Approved
- 1 pr Shower Shoes
- 1 ea Cap, Baseball (White or Gray, No Insignias or Lettering)

- I. Storage Space: Storage space in most units consist of an individual locker, desk or cabinet. Locks may be purchased in the institution commissary. Shoes may neatly be stored under your bed. The amount of personal property allowed each inmate is limited to those items which can be neatly and safely placed in the space designated. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.

- J. Food Storage: Food items that are left open create a health hazard. These items must be properly sealed at all times. Empty containers may not be used as drinking containers or for storing other items, but are to be thrown away.

A comprehensive list of allowable property can be found in the institution supplement on personal property. Any questions regarding inmate personal property can be addressed to your Counselor or Receiving & Discharge (R&D) Staff.

## QUARTERS RULES

Pictures cannot be posted on walls and can only be placed on the bulletin boards provided for this purpose. Offensive pictures and material may not be posted in public view. NUDE PICTURES ARE PROHIBITED.

If the condition of any room is found unacceptable, corrective action will be taken. Disciplinary action can be taken for repeated room safety and sanitation deficiencies.

Doors are not to be propped or otherwise held open. Window blinds must be closed after dusk.

Unit orderlies are responsible for the sanitation in the common areas, however, cleaning of individual rooms is the responsibility of those inmates assigned to that room.

Appropriate attire must be worn at all times. Inmates moving about the unit in underwear or without a shirt is unacceptable.

Removal of food from the dining room is not permitted.

Steel-toed safety shoes must be worn in all identified foot hazard locations.

Inmates are not allowed to enter housing areas that they are not housed in unless prior authorization is received by a staff member.

Except for using the shower, anytime an inmate leaves his room he is to have on his possession his issued commissary card.

Unit televisions may be viewed during established off-duty hours. All television rooms will close at 12:00 A.M. Sunday thru Thursday and at 2:45 A.M. Friday & Saturday. Inter-room visitation is normally allowed in the units with the number of inmates limited to the number of inmates that occupy the room. Quiet hours will be observed from 10:00 P.M. to 6:00 A.M. During these hours, inmates will not be allowed in other inmate rooms for visitation. The large overhead lights will be turned off at 10:00 P.M. All other room lights (desk lights, reading lights) will be turned off at midnight.

Providing appropriate noise levels are maintained, Kingsbury, Lloyd and Durand units may play cards and approved games in the housing unit's recreation area until 12:00 A.M. No gambling is allowed whatsoever. Specifically, card games such as poker and blackjack are strictly prohibited. Inmates may receive disciplinary action for engaging in such games.

## **WAKE-UP**

Morning movement begins M-F at 6:10A.M. with a Recreation/Food Service work move. The compound opens for movement/recreation at 6:30 A.M., M-F and 7:30 A.M., weekends and Holidays with the opening of the morning meal. Breakfast will be announced over the intercom at approximately 6:30 A.M.. Inmates are given a reasonable amount of time to leave the unit if they desire breakfast. General work call is at 7:45 A.M.. It is the inmate's responsibility to leave the unit for work. Late sleepers who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

## **CLOTHING EXCHANGE AND LAUNDRY**



The Clothing Room is located directly across from the commissary at the southeast end of the main floor of the Forbes building.

Upon arrival you will be issued your institutional clothing and linens. You will sign for your clothes and will be held responsible for them until you are released from this facility. Upon your release all institutional clothing must be returned to the Clothing Room.

Institutional issued outer clothing will be labeled with the appropriate inmate's name and register number. Inmates are responsible for insuring that their clothing remains properly labeled. Inmates should contact the clothing room officer to determine an appropriate time to re-tag labels that are not legible, have fallen off, or are about to fall off. All articles of clothing brought in for re-tagging must be clean. No exchange of clothing will be done at this time. Any inmate wearing issued clothing that does not comply with policy is subject to disciplinary action.

If an institution issued clothing item needs repair, wash it and drop it off with the Clothing Room Officer for repair. Once repaired, you may pick it up at the Clothing Room.

Clothing exchanges are allowed once every 90 days, if necessary. A clothing replacement form is available in the units and must be filled out and sent to the Clothing Room. You will then be placed on a call out for clothing exchange. It is your responsibility to watch the call outs and to report at your scheduled time. If you miss your call out you will not be able to submit another request for an additional 90 days. When you report to your call out you should bring all the clothing items that need to be replaced or repaired. All exchanges will be one for one at the officer's discretion.

Linen exchange is conducted on Thursday mornings from 7:40am-7:55am. You may exchange towels, wash cloths, sheets, and pillow cases. You may also exchange blankets if they are worn and need to be replaced. A special blanket exchange is conducted once in the Spring and once in the Fall for wool blankets. **Wool blankets must not be washed in the unit washers**, but may be freshened by placing them in the dryer on the air cycle for a few minutes.

Washers and dryers are available in each housing unit for inmates to wash their clothing and linen and are free of charge. Detergent is available to each inmate through the Clothing Room at no charge on a monthly basis. Detergent and fabric softeners are also sold through the Commissary.

## **PERSONAL CARE ITEMS**

Upon arrival at FPC Yankton, inmates will receive personal care items with their bedroll for use until they have an opportunity to obtain a regular supply. Hygiene items are also sold in the Commissary.

Personal care items are made available to the inmate population through the Clothing Room on the following schedule:

Monday mornings from 7:40am-7:55am. (If Monday is a holiday, the issue will be on Tuesday of that week).

- 1<sup>st</sup> Monday of the month - Toothpaste/Toothbrushes
- 2<sup>nd</sup> Monday of the month - Razors/Shaving Cream
- 3<sup>rd</sup> Monday of the month - Bar Soap/Comb
- 4<sup>th</sup> Monday of the month - Laundry Detergent

Standard envelopes, paper, and pencils will be issued in the units upon request.

## **HOW TO DO YOUR LAUNDRY**

1. Separate your laundry: Put whites with whites and khakis with khakis. Never wash white clothes with colored clothes because the colors may bleed resulting in clothing with a pink, blue or green tint.
2. Load clothes into washing machine, do not overfill. Use a water level sufficient to cover the clothes.
3. Use no more than 1/4 cup of institution laundry detergent per load. The detergent issued is concentrated. For laundry soap bought in the Commissary follow directions on package.
4. Promptly remove clothes from washer and place in dryer. This will help prevent wrinkles from forming.
5. Khakis should be dried approx. 15 minutes. Remove from dryer and place on hanger. This will also help eliminate wrinkles.
6. Whites should be dried thoroughly, approx. 30-40 minutes per load. White blankets may take longer to dry. Wash white blankets separately and dry separately for best results.
7. **DO NOT WASH THE WOOL BLANKET.** The blanket will shrink and it will be too small for use. This blanket may be “freshened” by placing it in the dryer on “air cycle” only for 5-10 minutes. Fabric softener sheets may be added.
8. Never leave your clothing unattended while doing your laundry.

## **COMMISSARY**

The Commissary Sales Unit is located on the southwest end of the main floor of the Forbes Building.

Commissary will be open for regular sales on Tuesday and Wednesday evenings after the 4:00 P.M. count clears, and will stay open until 8:00 P.M. or until all inmates in line at 8:00 P.M. have been processed.

Special Purchase/Special Purpose sales are on Thursdays from 11:00 A.M. to 12:00 P.M.

Special Purpose orders such as leather and hobby craft items are requested through the appropriate departments. (i.e. hobby craft items through Recreation, religious items

through Chapel, and education items through Education). Normal delivery times for SPO items is two weeks.

Special Purchase items include shoes, radios, watches, beard trimmers, razors, fans and alarm clocks.

**Inmates are encouraged to retain sales receipts for proof of purchase.**

Special Work Detail Line (Short Line) is from 1:00 P.M. to 1:30 P.M. Wednesday. This sales line is for inmates that are unable to shop either Tuesday or Wednesday evening due to work schedules or education classes. You cannot shop Short Line unless you are on an approved list requested by the responsible staff supervisor.

An Express Sales Line is open on Monday and Tuesday from 11:00 A.M. to 12:10 P.M.. On Monday holidays, the Express Sales will be moved to Wednesday. Fruit will not be sold during Monday Express Sales. Inmates shopping the Express line may not shop any other time during that week, except SPO sales. There is a limit of 8 line items to be purchased. Inmate call-outs and work detail responsibilities take precedence over Express line shopping.

The commissary shopping day for inmates is scheduled on a rotating basis. The schedule is posted in the unit and on the commissary bulletin board. It is the inmate's responsibility to know the correct shopping day. You will be refused if you are shopping on the wrong night and will be subject to possible disciplinary action. The following are shopping assignments:

The number indicated is the last two digits of the first five digits of the inmate register number.  
(Example: XXX00-XXX - XXX49-XXX AND XXX50-XXX - XXX99-XXX)

<u>OCT. 1- DEC .31</u>	<u>JAN. 1 - MAR.31</u>	<u>APR. 1 - JUN. 30</u>	<u>JUL. 1 - SEP. 30</u>
TUES. 00-49	50-99	00-49	50-99
WED. 50-99	00-49	50-99	00-49

Commissary is a privilege afforded each inmate incarcerated in the Federal Prison System. This privilege can be restricted for disciplinary reasons. If you are placed on commissary restriction you will be limited to purchasing stamps, over the counter medications, and approved hygiene items. There is a list of approved hygiene items posted on the Commissary bulletin board. **All sales are final once you have left the sales line.** It is your responsibility to make sure that you receive the items you ordered. If an item is incorrect or missing you must bring it to the commissary officer's attention during the sale. No items will be returned or exchanged once you leave the sales line. If you find an item was missed you may fill out another list and get back in line to shop. Sales receipts should be kept by inmates for possible future proof of purchase.

Stamps are sold in the Commissary during regular sales. You may also purchase up to \$25.20 (equivalent of three books of first class stamps) worth of stamps per week. This is also the maximum amount of stamps that you can have in your personal property at any given time. Over the counter medications (OTC) may be purchased any time the commissary is open for sales.

The monthly spending limit is \$290.00. With the exception of stamps, phone credits, and over the counter medications, ALL items come off your spending limit. If an inmate is on FRP refusal status, he will be allowed to make purchases, however, the monthly spending limit will be \$25.00. Validation of spending limit is once each month. Revalidation date will depend on the fifth digit of the register number using the following schedule:

<u>Inmate Number</u>	<u>Day of Month Revalidated</u>
xxxx0-xxx	First (1)

xxxx1-xxx	Fourth (4)
xxxx2-xxx	Seventh (7)
xxxx3-xxx	Tenth (10)
xxxx4-xxx	Thirteenth (13)
xxxx5-xxx	Sixteenth (16)
xxxx6-xxx	Nineteenth (19)
xxxx7-xxx	Twenty-second (22)
xxxx8-xxx	Twenty-fifth (25)
xxxx9-xxx	Twenty-eighth (28)

Each inmate must have an Inmate Account Card in order to shop in the commissary. These cards will be issued to you when you arrive in Receiving and Discharge. Take care of your commissary debit card. It is best to keep the card in the plastic pouch provided to you. Dirt and moisture may cause an error reading on the card and even damage the vending machines. Loss of said card or a significant change in your appearance (such as a hair cut, shaving off or growing of facial hair or shaving your head, significant weight gain or loss, etc.) will require issuance of another card at the inmate's expense. Inmates may not possess more than one commissary card at a time. Borrowing commissary items from other inmates is not allowed.

Copier cards for the law library copier are sold through the commissary. Any problems with the law library copier should immediately be reported to staff.

The Automatic Inquiry Machine (AIM) should be used to inquire about your account. It is located across the hall from the Commissary and is available when the building is open. There is an example of a sales receipt located on the wall next to the AIM machine. The example will help to explain much of the information on this receipt. Further inquiries regarding your account should first be addressed to your Correctional Counselor, then if necessary, to the Accounting Department via an Inmate Request to a Staff member. The Commissary sales line is not the place to inquire about your account. You may receive your Personal Identification Number (PIN) number from Commissary staff during normal Commissary sales hours.

Inmate funds are retained by the institution in a trust fund, from which the inmate may withdraw money for personal spending in the institution commissary, family support, or other approved purposes. A standard form is provided by the institution for the withdrawal of funds from inmate accounts. Unit Managers may approve inmate requests for withdrawals from the trust fund account to send funds to dependents and other family members, for the purchase of gifts, payment of postage costs, purchase of special discharge clothing, etc. Withdrawal forms are normally processed once each week. The Unit Managers may also approve withdrawals for the payment of fines, restitution for losses, legitimate debts, obligations such as court fees, attorney fees, birth certificates, contributions to recognized charities, and expenses for trips such as bedside visits or funeral trips. Withdrawals for educational purposes are approved by the Supervisor of Education.

Deposits to commissary accounts from outside sources will be made through a National LockBox at the following address:

Federal Bureau of Prisons  
 Insert Inmate Name  
 Insert Inmate Register Number

Post Office Box 474701  
Des Moines, IA 50947-0001

In order to ensure funds are processed without delay, senders should adhere to the following directions:

The inmate's committed name (no nicknames) and register number must be printed on all money orders; U.S. Treasury, state, and local government checks; and foreign negotiable instruments payable in U.S. currency; and envelopes.

The sender's name and return address must appear on the upper left hand corner of the envelope to ensure that funds can be returned in the event that they can not be posted to the inmate's account.

Senders SHOULD NOT enclose cash, personal checks, letters, pictures or any other items in the envelope. Only the allowable negotiable instrument should be enclosed. Any enclosures received with the negotiable instruments will be discarded. The national LockBox can not forward any items enclosed with the negotiable instrument to the inmate. Items, personal in nature, must be mailed directly to you at the Federal Prison Camp, Yankton, SD,

Generally, funds are available in the inmate's account the day following receipt at the LockBox location. Inmates should advise family and friends who have inquires on funds sent to the LockBox processing center to place a tracer on these funds with the originator of the negotiable instrument.

When you are being released from this facility the maximum amount of **cash** that can be given to you is \$500.00. Any remaining funds will be sent to you by US Treasury Check. Money out of your account should not be confused with any type of gratuity or transportation funds.

If you need a Tort Claim form, submit an Inmate Request to Staff Member form to the Business Administrator.

## **BARBER SHOP**

Location: Nash Gym

Assigned inmate barbers can cut hair at this institution only in the Barber Shop in Nash Gym. Any inmate not assigned as a Barber found cutting hair is subject to disciplinary action, as is the inmate receiving the haircut.

## **SECURITY PROCEDURES**

### **COUNTS**

Institution counts are the means to ensure inmate accountability, therefore it is necessary for staff to count inmates on a regular basis. During count, inmates are expected to stay quietly in their rooms until the count is clear. The daily 4:00 P.M. count and 10:00 A.M. weekend/holiday count is a mandatory stand up count. All inmates are required to be standing next to their assigned bunk when staff enter their room to count.

Official counts will be taken at 12:01 A.M., 3:00 A.M., 5:00 A.M., 4:00 P.M. and 10:00 P.M. (10:00 A.M. on weekends and holidays). The counting staff must see flesh, if you are covered up

at night they will wake you in order to achieve this. On work days there are census counts at 8:00 A.M. and 12:15 P.M. These counts are completed in all work areas as well as the units. Other counts may occur randomly.

The staff will take disciplinary action if an inmate is not in his assigned area during a count. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is cleared. Inmates may not leave the unit until the unit is called for mainline.

### **CALL-OUTS**

Call-outs are a scheduling system for appointments (which include hospital, dental, educational, team meetings and other activities) which are posted each day on the unit bulletin boards on the day preceding the appointment. It is the inmate's responsibility to check for appointments on a daily basis. All scheduled appointments are to be kept; disciplinary action may be taken for missed appointments.

### **UNIT SIGN OUT/IN PROCEDURE**

Between the hours of 6:00 A.M. to 9:30 P.M., Monday through Friday, and 7:30 A.M. to 9:15 P.M. on weekends and federal holidays, inmates will use a sign-in/sign-out sheet located in the housing unit to record their destination and time left and returned. You are required to sign out for scheduled call-outs and education classes.

Failure to follow the sign-out/sign-in procedures will result in disciplinary action. The only exceptions will be scheduled work call and meals. Inmates cannot leave the unit between the hours of 9:30 P.M. and 6:30 A.M. on weekdays and 9:30 P.M. to 7:30 A.M. on weekends and federal holidays. Inmates must be specific about their destination when signing out and can only sign out to one specific area. There is a controlled movement at 6:10am for Food Service workers and early a.m. use of the gym.

### **OUT-OF-BOUNDS**

Due to the location of the Camp, it is necessary that all inmates avoid out-of-bounds areas. Attachment #1 is a boundary map of the Federal Prison Camp. If you are found in an area in which you are not specifically authorized to be in, you are subject to disciplinary action.

Inmates are not allowed open access to the Warden's office complex. Only those inmates assigned to work in this area will be authorized. All others will be considered to be "out of bounds," and subject to disciplinary action unless authorization has been granted to be in this area.

### **CONTRABAND**

Contraband is defined as any item or thing not authorized or issued by the institution, received through approved channels, or purchased through the commissary. Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to staff. Any item in an inmate's personal possession must be authorized and a record of the receipt of the item should be kept in the inmate's possession. Inmates may not purchase or receive radios or any other items from another inmate; items obtained in this manner are considered contraband and will be confiscated. Any altered item is considered contraband. Altering or damaging government property is a violation of institutional rules and the cost of the damage may

be levied against the violator as part of disciplinary sanctions.

## **SEARCHES**

Any staff member may search an inmate's room. It is not necessary for the inmate to be present when his room is inspected. The property and living area will be left in the same general condition as found and these inspections will be unannounced and random. Inmates are also subject to searches of their person. These searches can be done on a random basis by any staff member. Searches of this type can be either a pat search or a strip search.

## **DRUG AND ALCOHOL SURVEILLANCE**

The Bureau of Prisons conducts urine and breathalyzer tests to detect the unauthorized use of drugs and alcohol. These tests can be administered through a random sampling or as a result of inmates returning to the institution from furloughs or other unsupervised releases to the community. Inmates are subject to testing at any time without prior notice. Failing or refusing any of the surveillance tests can result in disciplinary action.

Procedures for giving a urine sample:

1. Inmates have a two-hour period to provide the urine from the time requested.
2. They must provide a full bottle.
3. Inmates may have eight ounces of water upon request at the beginning of the two hour time period under the supervision of a staff member.
4. A staff member will closely observe the urination process.

Procedures for alcohol testing:

1. The inmate must perform the test immediately upon request.
2. If there is a positive reading, a second test will be given 15 minutes after the first.
3. No eating or drinking is allowed before the test or during the 15 minute interval.
4. A result of .02% or higher is considered a positive test.

## **FIRE PREVENTION**

Fire prevention and safety is everyone's responsibility. Inmates are to report fires to the nearest staff member. Piles of trash or rags in closed areas, combustible material, items hanging from fixtures or electrical receptacles, or other hazards is unacceptable.

Use of paper or plastic sacks for trash can liners are prohibited. Regular fire inspections are made in each institution by qualified professionals.

## **CONTACT WITH THE PUBLIC**

1. Unauthorized contact with the public is not permitted. Inmates will be subject to disciplinary action for any unauthorized contact.
2. Contract workers, volunteers, and vendors are to be considered and treated as staff. Any contact with these people will be kept on a professional basis and any unauthorized or improper contact can result in disciplinary action.

**FPC YANKTON IS A TOBACCO-FREE INSTITUTION. INMATES FOUND TO BE IN POSSESSION OF SMOKING RELATED ITEMS ARE SUBJECT TO DISCIPLINARY ACTION.**

## **PROGRAMS AND SERVICES**

### **JOB ASSIGNMENTS**

All inmates are expected to maintain a regular job assignment. Most job assignments are controlled through a Performance Pay System, which provides monetary payment for work. Unit staff approve job changes and ensure the changes are posted on the daily change sheet. Inmates are restricted up to 18 months on any one job assignment. Exceptions to the 18-month rule will be evaluated on a case-by-case basis. The standard work week is Monday through Friday, however, inmates can be assigned varied shifts, particularly in Food Service, Recreation, and as unit orderlies. Once assigned to a job detail, you will be advised by your supervisor of established work hours, lunch, and break times.

The following list of departments employ inmates in a variety of positions, pay grades, and levels of responsibility:

Business Office, including clothing issue, commissary, and warehouse  
Education, including recreation and barber shop  
Facilities  
Food Service and Safety  
Health Service  
Community Service  
Inmate Systems  
Housing units and all buildings as sanitation orderlies

Inmates requesting to be considered for a position in a specific department are to submit their request to the proposed work supervisor. All attempts will be made to accommodate these requests, however, institution need will be the deciding factor in assigning inmates to a job detail.

### **INMATE PERFORMANCE PAY**

Inmate Performance Pay will vary dependent upon personal performance and grade assignment. Presently, pay grades are as follows:

Grade 1-.40/HR Grade 2-.29/HR Grade 3 - .17/HR Grade 4 - .12/HR

Maintenance Pay -- Varied (May be up to but not to exceed \$5.25/month).

If an inmate is on FRP "refuse" status, he will receive maintenance pay for the entire month, unless he delivers a receipt to his unit team prior to the 20th of the month, he will then receive full pay for the entire month. Inmates being found guilty of a 100 or 200 level prohibited act and refusing to participate in the GED program, if instructed, will also be restricted to Grade 4 pay.

Performance pay is ordinarily posted to an inmate's trust fund account within ten working days of the closing of the pay period.

### **FACILITIES DEPARTMENT**

The Facilities Department provides physical plant support systems such as electricity, lighting, sewage, water, heating, cooling, landscaping, trash disposal, recycling, and vehicle fleet services to the institution. The department oversees all minor and major maintenance, repairs and improvements at the institution, involving buildings, grounds, and equipment. Facilities consist of the following shops, each with an inmate work detail: Facility Assistant, General Maintenance



1 & 2, HVAC, Paint, Electric, Utilities, Garage/Recycling/Welding and Plumbing. The facilities staff consist of journeyman level trade-related foremen and administrative employees supervising inmate work crews.

The majority of the work is done by inmates assigned to the department. Work assignments are designed to allow opportunities for inmates to acquire knowledge, skill, and work habits needed to secure and maintain employment upon release from the institution. This is done simultaneously while meeting institution physical plant needs by accomplishing the institution work program. Apprenticeship programs in conjunction with the institution Education Department and Department of Labor are available.

### **FOOD SERVICE**

Inmates are provided nutritionally adequate, properly prepared, and attractively served meals. Food Service also provides inmates with the opportunity to acquire skills and abilities in the Food Service profession. The Food Service Department, in conjunction with Education and the Department of Labor, coordinates an apprenticeship program in cooking and baking. Inmates involved in these programs have the opportunity to learn a skill that can be used following release from incarceration. Following completion of the required hours, inmates receive a certificate from the Department of Labor. Nutritional information is provided which enables inmates to determine and establish healthy eating habits which may enhance their quality of life. Specific approval procedures for special diets may be discussed with the Health Services Department, Chaplain, and Food Service Department. The hours of operation are as follows:

#### **BREAKFAST:**

Open 6:30 A.M. Weekdays

Open 7:30 A.M. Coffee Hour, Weekends/Holidays

#### **LUNCH:**

Open 11:00 A.M.

#### **DINNER**

After clearing of  
4:00 P.M. count

#### **BRUNCH**

Open 11:00 A.M.

During the Monday-Friday work week, there will be no inmate movement on the compound from 10:45 A.M. until the first details are called to main-line.

### **LINE CLOSES 10 MINUTES AFTER LAST UNIT HAS BEEN CALLED**

Monday - Friday - An announcement will be made at 10:45 A.M. to clear the compound. All inmates will return to their work assignments or housing unit. Inmates will not be allowed to leave for the noon mainline until their area has been called. During the morning, evening and brunch meals, Room of the Week and CSP inmates eat first, followed by the housing units.

Short line for medical diet inmates and Food Service workers will be from 10:15 A.M. until 10:45 A.M. Evening short line is from 3:15 P.M. thru 3:45 P.M.

Rotation for housing units is determined by the bi-weekly sanitation inspection performed by the Safety Manager.

Releases for meals will vary according to the population of the institution.

### **EDUCATION PROGRAMS**

Education opportunities available to federal prisoners include literacy training, continuing education, post-secondary education, VT Horticulture, and apprenticeship programs. An inmate confined in a federal institution who does not have a verified General Educational Development (GED) or high school diploma is required to attend an adult literacy program for a minimum of 240 instructional hours or until a GED is achieved, whichever occurs first. The inmate will be placed in the appropriate literacy program based upon the results of a required standardized achievement test. All promotions in institutional work assignments beyond the entry level grade

are contingent upon successful completion of a literacy program.

Inmates subject to the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA) or the Prison Litigation Reform Act of 1995 (PLRA) shall make satisfactory progress (GED SAT) toward earning a GED in order to vest/earn Good Conduct Time(GCT). If the inmate refuses to enroll in a literacy program, receives an Incident Report in a literacy program, or withdraws from a literacy program, he is subject to unsatisfactory progress (GED UNSAT) and loss of GCT.

In addition, all federal prisoners will be evaluated to determine English proficiency. Each inmate who is determined to have limited English proficiency is required to take the Comprehensive Adult Student Assessment System test (CASAS). Based upon the results of the placement tests, the inmate will be placed in the appropriate English-as-a-Second Language (ESL) program until he is able to function at the equivalence of the eighth grade in competency skills, as measured by a minimum score of 225 on the CASAS reading certification test and a score of 215 of the CASAS listening certification test.

An incentive award system has been established which recognizes achievement at intervals within the literacy program with special recognition upon achievement of functional literacy, i.e. an 8.0 grade level in reading and math as measured by the Adult Basic Learning Examination (A.B.L.E.), as well as completion of achievement levels of the CASAS test. Incentives can be one or more of the following:

- A. \$5.00 award for Student of the Month
- B. Consumable items such as popcorn and sodas, for satisfactory progress toward literacy goals or for periodic classroom achievements, i.e., hardest worker, best test score, perfect attendance.
- C. \$25.00 award for successful completion of the GED or ESL program.

### **RECREATION, LEISURE, AND SOCIAL PROGRAMS**

Leisure activities and recreation programs are also supervised by the Education Department. These programs help inmates develop an individual wellness concept for participants. Programs include indoor and outdoor activities and range from individualized arts and crafts programs to intramural team sports such as softball, basketball, and volleyball. Physical fitness and weight reduction programs are also important activities for inmates and contribute to mental health, good interpersonal relations, and stress reduction.

In addition, inmates can learn to use their free time constructively. Musical instruments are available in the recreation area for the inmate population. The musical instruments are to remain in the music room. Hobbycraft programs include activities such as: painting, leather, art, and beadwork.

### **PSYCHOLOGICAL SERVICES/DRUG ABUSE PROGRAM**

A psychologist is available to provide counseling and other mental health services to inmates. Each inmate will have a psychological assessment if not already screened at another institution. Should you feel you are in need of psychological services, you may either speak directly to the psychologist or a member of your unit team will process a referral at your request.

Two formal programs relating to substance abuse issues are provided at FPC Yankton. The Drug Education Program (DEP) focuses on the effects of drugs on the individual and society. The DEP is required for certain inmates with significant drug histories, as determined by the Unit Team.

The Residential Drug Abuse Program (RDAP) is an intensive 9 month treatment program. This voluntary program is designed to allow inmates who qualify to attend the RDAP for one-half of the work day and their normal work assignment during the other half of the day. Successful completion of this comprehensive program will assist in providing participants with the skills necessary to maintain a drug-free lifestyle. Inmates will be interviewed by RDAP staff and a Psychologist to determine eligibility for this program. Those inmates who have received a judicial recommendation to take the program then decline are notified that the judge in your case will be advised of your refusal to comply with the recommendation. Non-Residential Drug treatment is also available for inmates.

### **COUNSELING ACTIVITIES**

There are many alternatives for inmates having personal problems with a desire to correct them. These options can include Alcoholics Anonymous, Narcotics Anonymous, Healthy Lifestyles, Smoking Cessation, Pain Management and other voluntary groups. The staff of each unit are available for informal counseling sessions, and they conduct formal group counseling activities.

### **ESCORTED TRIPS**

Bedside visits or funeral trips may be authorized for inmates when an immediate family member is seriously ill, in critical condition, or has passed away. One or two staff will escort the inmate depending on the inmate's custody level. All expenses will be borne by the inmate, except for the first eight hours of each day that the employee is on duty. All such requests are evaluated by the unit team and executive staff. Although emergencies are treated as such, each request is approved or disapproved on a case-by-case basis. Factors such as criminal history, institutional adjustment, program participation, distance to be traveled, outside law enforcement, availability of staffing or other management concerns are taken into consideration.

### **FURLOUGHS**

A furlough is an authorized absence from an institution by an inmate who is not under escort of a staff member, a U.S. Marshal, other federal, or state agent. Furloughs are a privilege, not a right, and are only granted when clearly in the public interest, and for the furtherance of a legitimate correctional goal. Ordinarily, inmates with a history of violence, including those who have received the +2 enhancement for weapons possession or use, will not be granted social furloughs.

Factors such as adhering to staff's recommendations for programs, work and sanitation reports, FRP participation and demonstrating overall good responsibility are also considered when the Unit Team processes furlough requests. Ordinarily, furloughs may be considered for inmates who have community custody and have two years or less from their anticipated release date. An inmate who meets the eligibility requirements may submit an application for furlough to staff during the program review in which he is eligible for the type and length of furlough requested. Inmates are responsible for the cost of a urinalysis test which will be administered following your return from a furlough. Furloughs may be granted for the following reasons:

- Visiting an immediate family member hospitalized in critical condition or on their last stages of life.
- Attending the funeral of an immediate family member.
- Obtaining medical services not otherwise available.
- Contacting prospective employers.
- Establishing or re-establishing family or community ties.
- Transferring directly to another institution.
- Participating in selected educational, social, civic, religious, and recreational activities which will facilitate release transition.
- Any other significant reason consistent with the public interest.

In all units, pre-release programming will be emphasized, and staff will address concerns about readjustment, current community issues, and educational and vocational opportunities.

### **CENTRAL INMATE MONITORING SYSTEM**

The Central Inmate Monitoring System (CIMS) is a method for the Bureau's Central and Regional Offices to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIMS case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are designated as CIMS cases will be so notified by their Case Manager. Inmates in this category who apply for community activities should apply in ample time to allow the institution to obtain necessary clearances from the appropriate reviewing authority.

### **PRE-RELEASE PROGRAMMING**

FPC Yankton recognizes that an inmate's preparation for release begins at initial commitment and continues throughout the period of incarceration. As a result, standardized courses and topics will be offered throughout the year. Recommendations for course participation shall be made by the unit team at initial classification or subsequent program reviews. The unit team will evaluate an inmate's participation in these pre-release classes when reviewing an inmate's request for halfway house placement, furloughs, and other community-based activities.

### **RELIGIOUS PROGRAMS**

The Pastoral Care Department offers a wide range of religious activities, services, and programs to inmates. Contract and volunteer representatives of various faith groups assist in providing a wide range of religious services. Holiday observances and other worship activities are coordinated through the Chaplain's office. Information and questions regarding the obtaining and wearing of religious articles may be addressed to the Chaplain.

### **INMATE FINANCIAL RESPONSIBILITY PROGRAM**

Working closely with the Administrative Office of the Courts and the Department of Justice, the Bureau administers a systematic payment program for court-imposed fines, fees, and costs. All designated inmates are required to develop a financial plan to meet their financial obligations.

These obligations may include: special assessments imposed under 18 USC 3013, court ordered restitution, fines and court costs, judgments in favor of the U.S., other debts owed the federal government, and other court-ordered obligations (e.g., child support, alimony, other judgments).

The Cost of Incarceration Fee (COIF) is another obligation included in the above category, "other debts owed the federal government". In 1992, Congress enacted a law requiring the Attorney General to establish policy and procedures to collect fees for incarceration costs. This policy applies to all federal prisoners who began service of their sentence on or after January 1, 1995, unless exempted. COIF is a financial obligation sentenced inmates are encouraged to satisfy at the earliest possible time.

Institution staff assist in planning the payment of these obligations, but the inmate is responsible for making all payments required, either from earnings within the institution, or from outside resources. The inmate must provide documentation of compliance and payment. If an inmate refuses to meet his obligations, the inmate cannot receive performance pay above the maintenance pay level, be considered for halfway house placement or any type of furlough, except for possibly medical treatment, can not make purchases in the commissary above \$25.00 per month nor can he be granted community custody.

The status of any financial plan will be included in all progress reports, and will be considered by

staff when determining security and custody level, job assignments, eligibility for community activities, and institutional program changes. The U.S. Parole Commission will also review financial responsibility progress at parole hearings.

## **PARENTING PROGRAM**

The Parenting Program supports positive relationships between inmates, their spouses, and their children during and after incarceration, contributing to a positive environment in correctional institutions. The program also improves family interaction, promotes a constructive family value system, and increases the likelihood of successful inmate adjustment in the home and community.

## **HEALTH SERVICES**

The Bureau of Prisons health care delivery system includes on-site clinics, community healthcare facilities, as well as major medical centers within the Bureau system. FPC Yankton provides medical, dental and mental health services which is appropriate and necessary.

Upon your arrival at FPC Yankton, you will be assigned to a specific primary health care provider. This assigned primary care provider (PCP) will be responsible for all the aspects of your health care necessary to maintain your good health. Your PCP will handle your sick call requests, monitor any chronic health problems you may have, schedule physical evaluations when necessary, order and report any appropriate diagnostic studies, and refer you to the physician or other specialty consultants, when indicated.

Which health care provider you are assigned to will be determined by your register number; specifically the 4<sup>th</sup> and 5<sup>th</sup> digit of your 8 digit number.

Example: Register Number = "292**92**-292"

2	9	2	<b>9</b>	<b>2</b>	-	2	9	2
1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	<b>4<sup>th</sup></b>	<b>5<sup>th</sup></b>		6 <sup>th</sup>	7 <sup>th</sup>	8 <sup>th</sup>

"**92**" would determine which group you would be included in.

Listings of which inmate groups the health care providers are assigned to are posted in the housing units and in the Health Services Department.

Emergency health care is available 24 hours a day, either on the grounds or in the local community.

**Weekday** coverage is from 6:00 A.M. until 4:00 P.M. Health Services at FPC Yankton are provided in the Lay Medical Building, located in the center of the compound across from the all-purpose courts.

For non-urgent requests and issues, you also have the option of communicating with your assigned primary care provider by submitting a "Request to Staff Member" form, often referred to as a "cop-out". These forms must be submitted through the institution mail system. They will not be addressed if received in any other manner ( i.e. placed in pharmacy refill box, slid under office doors, handed to staff).

Available services are delineated below:

1. **Medical Sick Call** - Sign up is from 6:30 to 7:00 A.M., Monday - Friday, excluding holidays falling on these days..
2. **Dental Sick Call** - Sign up is held at the same time as medical sick call, on the same request form, and should be marked “dental” in the area provided. Your request will be forwarded to the dental staff, who will schedule your request. You will be placed on the callout listing as to the date and time of your appointment. Requests for teeth cleaning and other routine dental work should be submitted to the dental staff via Request to Staff Member form.

### **How to make Medical/ Dental Sick Call Appointments**

You may complete a request form in Health Services on Monday, Tuesday, Wednesday, Thursday, & Friday from 6:30-7:00a.m., excluding holidays falling on these days. You will be required to turn in your ID card to staff to obtain a request form; you will complete the form and return it to the staff member conducting sick call sign up. When sick call sign up is closed at 7:00a.m., a Health Services staff member will initiate a triage of all requests and will either provide immediate evaluation, if indicated, or instruct you to watch the daily callout listings for a future appointment. If you have requested evaluation for a condition that is manageable with over-the-counter medications, you will be directed to purchase these medications through the commissary. Access to the commissary for the purchase of over the counter medications is available at any time the commissary is open; Monday Express Line, Tuesday and Wednesday shopping nights, and Thursday’s special purchase line.

For non-urgent requests and issues, you also have the option of communicating with your assigned provider by submitting a “Request to a Staff Member” form, often referred to as a “cop-out”.

Health Services staff are available on the institution grounds from 6:00A.M. - 4:00P.M. on Monday-Friday and 8:00A.M. - 4:00P.M on weekends and holidays. Any emergencies occurring outside of these hours will be handled either by the health care provider on call, or by transporting you to the local community hospital’s emergency center.

**Emergencies** - If you become ill after the normal sick call sign up time, report to your Work Supervisor or Unit Officer. They will contact Health Services to arrange an evaluation of your condition, if clinically indicated. This same rule applies to weekends, holidays, and after 4:00 P.M. on weekdays.

If you injure yourself while working and cannot find a staff member to report to, report to Health Services on your own.

**Clinical Director (Medical Doctor)** - In order to be seen by the physician, you must be referred through your assigned PCP, who will refer you when it is necessary and appropriate.

**Chronic Care Clinics** - Those inmates identified with a chronic medical problem, (i.e. hypertension, diabetes, cardiac conditions, or asthma) will be seen every six months by the physician, with additional appointments with their assigned PCP, as necessary. If you need a refill on your medication or if a problem occurs before your next scheduled appointment, please do not hesitate to sign up for sick call.

### **INMATE CO-PAYMENT**

Effective October 3, 2005, the Federal Prisoner Health Care Copayment Act (FPHCCA) of 2000, Public Law 106-294 was implemented. This law requires an inmate co-payment of \$2.00 for specific types of patient evaluations and treatments. In addition to receiving notification, both written and verbal, during the A&O process, more information regarding the specifics of this program are posted in the housing units and in the Health Services department.

**Generally, you will be charged a fee of \$2.00 per health care visit if you receive health care services by your request, or are found responsible through the Disciplinary Hearing Process to have injured an inmate, who, as a result of the injury, requires a health care visit.**

This law does not apply in certain situations, which are listed on the handouts you receive during the Health Services A&O presentation

## **PHYSICAL EXAMINATIONS**

**A & O Physical Exams** - A physical exam will be completed for all newly committed inmates within fourteen (14) days of arrival at the institution. Check the call-out sheets for your appointment until you have received your physical exam. Inmates transferring in from other BOP institutions who have fully completed the physical examination process will not be called out for a repeat exam. The examination process includes the following:

1. Laboratory - When you see your name on the call-out sheet for “FAST LAB”, do not eat or drink anything, except water, after midnight on the night before the call-out. We suggest that you go to mainline that morning and pick up some fruit, which can be eaten after your blood has been drawn.
2. Complete physical examination
3. Dental examination
4. Infectious disease counseling and immunization update

**Periodic Examinations** - Age-specific preventive health examinations are available (i.e. cancer screenings, prostate exam, etc.) You may request these periodic exams by sending an Inmate Request to a Staff member (cop-out) to your PCP.

**Exit Exams** - This examination is available to those inmates who are being released from incarceration and who have not received a complete physical examination within the prior year. Submit a cop-out to your PCP at least 60 days prior to your release date to ensure the physical can be scheduled within the two (2) months prior to your release.

The Bureau of Prisons is **not** responsible for physical examinations performed by non-Bureau health care staff during an inmate’s stay at a half-way house.

## **EYE EXAMINATIONS / GLASSES**

Inmates requesting an eye examination or eyeglasses need to submit a cop-out requesting to be placed on the waiting list to see the optometrist. Once the examination has been performed and it is determined you require eyeglasses, institutional eye wear will be ordered. Optometry evaluations will be assessed a co-pay fee, unless your primary provider has referred you for a medical reason.

- A. Bi-annual Examinations - Eye examinations may be requested every two years.
- B. Eyeglasses - If you need corrective eye wear, you are eligible for one pair every two years.
- C. Contact Lenses and Solutions - Contact lenses are not allowed at FPC Yankton unless

authorized due to medical reasons. If you come to FPC Yankton with contact lenses, you will only be allowed to retain them until a pair of eyeglasses can be sent in from a reputable eyewear business, or ordered through the BOP. Failure to communicate that you are wearing contact lenses to the healthcare screener can result in disciplinary action. Contact solutions will be supplied when there is a legitimate medical justification for use of contact lenses.

- D. Personal Eyeglasses (repair or replacement) - You have the option of purchasing prescription eyewear at your expense. Personal prescription eyewear may be mailed directly to the institution from a reputable eye wear business, or from a family member. This does not cover non-prescription over the counter reading glasses. These are available through the commissary and will not be approved for mailing in. Health Services is not responsible for the repair or replacement cost of personal eye wear. If your personal eye wear needs repair or replacement, we will provide authorization for the item to be sent out and received back into the institution via a package receipt authorization form. This form must be approved by a Health Service staff member prior to the eye wear being sent in.

### **LIVING WILLS**

You have the right to request information on the procedure to obtain a living will document at your own personal expense and through your private attorney. A copy of this document will be kept on file in your health record. A valid living will document will be recognized in the event you would become hospitalized, as an in-patient, at a community hospital or BOP medical referral center.

### **INFECTIOUS DISEASE EDUCATION**

Soon after arrival, you will be scheduled for an “Infectious Disease” lecture as part of the Health Services Department’s A&O process.

During the A&O lecture you will receive a copy of the brochure “Sexually Transmitted Diseases; Questions and Answers as You Enter This Correctional Facility”. This topic will be further discussed during the Infectious Disease lectures.

Upon your release, you will receive a copy of the brochure “Sexually Transmitted Diseases; Questions and Answers for When You Return to the Community”.

### **HEALTH RECORD COPIES**

You have the right to request copies of your health care record at any time. A waiting list of copy requests is maintained in the Health Information office. If you would like to receive copies of your health records prior to your release or transfer, you should submit your request on an Inmate Request to Staff Member form, addressed to the Health Information Technician. These requests should be submitted 45 to 60 days prior to release ensure enough time is allowed to complete the copies.

### **OVER THE COUNTER MEDICATIONS**

These are sold through the commissary and are ordinarily not issued from Health Services. However, on a case-by-case basis, single doses of OTC medication may be issued from Health Services and indigent inmates are provided with over the counter medications from the pharmacy under specific guidelines. You are encouraged to purchase over the counter medications to have on hand when they are needed. You are allowed to shop for **over the counter medications** at the commissary at **any time** the commissary is **open** for business, even if it is not your assigned shopping day.

### **PRESCRIPTION REFILLS**

There is a prescription refill request box affixed to the wall, to the left inside the front door of the



Lay Medical Building. In order to obtain medication refills, please complete one of the refill forms available and insert the completed form into the box. The pharmacist will retrieve these request forms each weekday morning by 8:00 A.M. These refills will normally be available for pickup at the pharmacy window from 11:45 A.M. to 12:15 P.M. Over the counter medications (OTC) are sold through the commissary and are ordinarily not issued from Health Services. However, on a case-by-case basis, single doses of OTC medication may be issued from Health Services.

### **MEDICATION LINES**

Those inmates requiring injections or controlled medications will be assigned to medication line at the designated medication line times. Those on prescribed medications must report to medication line as directed, or disciplinary action may be taken.

**THERE IS NO SICK CALL OR PRESCRIPTION REFILLS OF MEDICATIONS ON WEEKENDS AND HOLIDAYS.**

### **MEDICATION LINE HOURS**

#### Weekday Medication Line Hours:

- |   |                         |   |
|---|-------------------------|---|
| * | 6:30 A.M. - 7:15 A.M.   | For morning doses of medication and insulin <b>only</b> |
| * | 11:45 P.M. - 12:15 P.M. | Prescription refill orders pickup <b>only</b>           |
| * | 2:45 P.M. - 3:00 P.M.   | Insulin line <b>only</b>                                |
| * | 3:00 P.M. - 3:30 P.M.   | For pick-up of refills and P.M. medications <b>only</b> |

#### Weekend & Holiday Medication Line Hours:

(Remember, there is no sick call or prescription refills on weekends and holidays)

- |   |                       |  |
|---|-----------------------|--|
| * | 8:00 A.M. - 8:30 A.M. | For morning doses of medications and insulin <b>only</b> |
| * | 3:00 P.M. - 3:30 P.M. | For afternoon doses of medication insulin <b>only</b>    |

There is **NO** noon pill line. If medications are needed on an emergency basis, a staff member or supervisor must be contacted, and in turn contact the mid level health care practitioner on duty.

### **MEDICAL IDLE, BED REST, AND CONVALESCENCE STATUS**

Occasionally it is necessary to restrict an inmate's activities for a short period of time. In such cases, inmates can be placed on medical idle, bed rest or convalescence status.

1. **Medical Idle:** Inmates placed on this status will not be allowed to work, participate, or observe athletic activities at Nash Gym, all-purpose courts, softball diamond, or the recreation yard. Inmates will also not be allowed to attend school or go to the law library or the music room. They will be allowed to move freely about the unit, watch television, honor medical call-outs, and attend religious services.
2. **Bed Rest:** Inmates in this status will be confined to their bed except for meals and authorized medical appointments. They will not be permitted to move about the unit unless otherwise specified, and they will be restricted from all detail assignments and athletic activities. They will not be permitted to honor call-outs, attend school, perform any work, or be permitted to participate in community programs. They will be allowed attorney and religious visits, unless specifically prohibited.

3. **Convalescence:** Inmates will be placed in this assignment when a recovery period is needed (i.e. following hospitalization, surgical procedures, and injuries). Inmates placed on this status will not be allowed to work or participate in court sports to include softball, soccer, handball or tennis. They will be allowed to attend school, observe sporting events, participate in limited use of the stationary bikes, walk on the walking track, and play boccie.

All temporary absences as noted above end at 0001 hours following the ending date on the medical slip.

Lower bunk authorizations will normally be assigned for a specific range of conditions, which include insulin dependent diabetics, documented history of sleepwalking, documented history of seizure disorder, amputees, immediate post surgical status, over 59 years of age, obvious joint/bone deformities or weight, which will be evaluated on a case by case request. Athletic restrictions may possibly be written in conjunction with a lower bunk authorization, if clinically indicated.

## **GRIEVANCE PROCEDURES**

If you have a concern regarding some aspect of your healthcare, (i.e. co-pay charges, utilization review committee decisions, etc.), you may submit a request to the Health Services Administrator, via a Request to Staff Member form, for a review of the situation and any adjustments, if indicated.

## **HEALTH CARE RIGHTS & RESPONSIBILITIES**

While in the custody of the Federal Bureau of Prisons, you have the right to receive health care in a manner that recognizes your basic human rights, and you also accept the responsibility to respect the basic human rights of your health care providers.

1. **RIGHT:** You have the right to health care services, in accordance with the procedures of this facility. Health services include medical sick call, dental sick call and all support services.

**RESPONSIBILITY:** You have the responsibility to comply with the health care policies of this facility. You have the responsibility to follow recommended treatment plans that have been established for you by the facility's health care staff, including proper use of medications, proper diet, and following the instructions of your healthcare provider.

2. **RIGHT:** You have the right to be offered the chance to obtain a Living Will (at your own expense), or to provide the Bureau of Prisons with Advanced Directives that would provide the Bureau of Prisons with instructions if you are admitted as the inpatient of a hospital.

**RESPONSIBILITY:** You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.

3. **RIGHT:** You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious diseases.

**RESPONSIBILITY:** You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activities that could result in the spreading or catching of an infectious disease.

4. **RIGHT:** You have the right to know the name and professional status of your healthcare providers.

**RESPONSIBILITY:** You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your overall health.

5. **RIGHT:** You have the right to be treated with respect, consideration, and dignity.

**RESPONSIBILITY:** You have the responsibility to treat staff in the same manner.

6. **RIGHT:** You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.

**RESPONSIBILITY:** You have the responsibility to keep this information confidential.

7. **RIGHT:** You have the right to be examined in privacy.

**RESPONSIBILITY:** You have the responsibility to comply with security procedures.

8. **RIGHT:** You have the right to obtain copies of certain releaseable portions of your health record.

**RESPONSIBILITY:** You have the responsibility of being familiar with the current policy to obtain these records.

9. **RIGHT:** You have the right to address any concern regarding your health care to any member of the institution staff including the physicians, the Health Services Administrator, members of your unit team, and the Warden.

**RESPONSIBILITY:** You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open house, or the accepted inmate grievance procedures.

10. **RIGHT:** You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.

**RESPONSIBILITY:** You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.

11. **RIGHT:** You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.

**RESPONSIBILITY:** You have the responsibility to eat healthy and not abuse or waste food or drink.

12. **RIGHT:** You have the right to request a routine physical examination, as defined by Bureau of Prisons' policy. (If you are under the age of 50, once every two years; if over the age of 50, once a year.)

**RESPONSIBILITY:** You have the responsibility to notify medical staff that you wish to have an examination.

13. **RIGHT:** You have the right to dental care as defined in Bureau of Prisons' policy, to include preventive services, emergency care, and routine care.

**RESPONSIBILITY:** You have the responsibility to maintain your oral hygiene and health.

14. **RIGHT:** You have the right to a safe, clean, and healthy environment, including smoke-free living areas.

**RESPONSIBILITY:** You have the responsibility to maintain the cleanliness and safety in consideration of others. You have the responsibility to follow smoking regulations.

15. **RIGHT:** You have the right to refuse medical treatment in accordance with Bureau of Prisons' policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill effects of refusing medical treatment.

**RESPONSIBILITY:** You have the responsibility to notify Health Services regarding any ill effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.

16. **RIGHT:** You have the right to appropriate assessment and management of pain. In accordance with this you can expect the following: Your reports of pain will be believed; information about pain and pain relief measures; a concerned staff committed to pain prevention and management; health professionals who respond quickly to reports of pain; and effective pain management.

**RESPONSIBILITY:** You have the responsibility to ask your healthcare providers what to expect regarding pain and pain management and discuss pain relief options with those providers. You have the responsibility to work with your provider and nurse to develop a pain management plan, help them assess your pain, ask for pain relief when your pain first begins, and notify your provider or nurse if your pain is not relieved. You also have the responsibility to tell your provider or nurse about any worries you have about taking pain medication.

## **CONTACT WITH THE COMMUNITY AND PUBLIC CORRESPONDENCE**

In most cases, inmates are permitted to correspond with the public, family members, and others without prior approval or the maintenance of a correspondence list. Outgoing mail is placed in mailboxes located in the Warren Center. Outgoing mail may be sealed in accordance with the Bureau's open correspondence privileges for minimum security institutions. The outgoing envelope must have the Federal Prison Camp inmate's name, register number, and return address in the upper left hand corner.

Inmates must assume responsibility for the contents of all of their letters. Correspondence containing threats or extortion may result in disciplinary action or referral for prosecution of violation of federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or for security reasons. The inmate is notified of this placement and has the opportunity to respond. There is no mail service on weekends or holidays.

## **OUTGOING MAIL**

Inmates are responsible for placing outgoing correspondence in the mailbox located in Warren Center. It shall be stamped and sealed with the proper return address.

## **INCOMING CORRESPONDENCE**

Mail will be distributed to the inmates Monday through Friday (except holidays) by the Unit Officer. Legal and special mail will be delivered by the Correctional Counselors as soon as possible after it is received. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution.

Inmates are asked to advise those writing to them to put the inmate's register number and unit on the envelope to aid the prompt delivery of mail.

All inmate packages received at the institution must have prior authorization as described on page 31 under "Packages". Without prior authorization, all packages will be returned to the sender.

## **INCOMING PUBLICATIONS**

The Bureau permits inmates to subscribe to and receive publications without prior approval. However, hardcover publications and newspapers must come only from a publisher, book club, or bookstore. An inmate at FPC Yankton may receive other soft-cover materials (for example, paperback books, newspaper clippings, or magazines) from any source.

However, this and other such material (for example, magazines, special mail, paperback books, educational, or legal materials) received in package form must be clearly marked with the special mail, legal markings or the notation "CONTENTS--AUTHORIZED PUBLICATIONS" or must contain markings readily permitting the person processing such mail to ascertain the nature of the contents from the sender's address or business. A package received in the absence of an appropriately completed BP Form 331, or the markings as stated above, will be considered unauthorized and will be returned to the sender. The package will be noted "REFUSED- RETURN TO SENDER-- AUTHORIZATION FOR RECEIPT NOT OBTAINED" or words to that effect.

## **SPECIAL MAIL**

Special Mail includes mail received from the following: President and Vice-President of the United States, Attorneys, Members of U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons), other federal law enforcement officers, U.S. Attorneys, Prosecuting Attorneys, Governors, U.S. Courts and State Courts.

## **INCOMING SPECIAL MAIL**

For incoming correspondence to be treated as Special Mail, it must (1) have the statement "SPECIAL MAIL-OPEN ONLY IN THE PRESENCE OF THE INMATE", written on the face of the envelope, and (2) the sender must be adequately identified. The attorney's name, title, and address must be clearly indicated in the return address portion of the envelope.

A staff member will open incoming Special Mail in the presence of the inmate. This is usually done by the Correctional Counselor. These items will be checked for physical contraband and for qualification as special mail. Without adequate identification as Special Mail, staff will treat the mail as general correspondence. In this case, the mail may

be opened, read, and inspected.

### **OUTGOING SPECIAL MAIL**

The outgoing special mail drop-box in Warren Center has been eliminated. Open House for mailing out **special mail only** will be held Monday through Friday from 7:45 A.M. to 8:00 A.M. excluding holidays and weekends. All inmates must deliver their own outgoing special mail directly to the Mail Room open house window and bring their Inmate account card for identification purposes. Outgoing special mail must have the accurate return address. Outgoing special mail submitted without an accurate return address will not be further processed, but rather returned immediately to the inmate. Inmates attempting to send outgoing special mail under another inmate's return address will be considered for disciplinary action. Outgoing special mail may still be sealed by the inmate before submitting directly to staff for further processing. The routine Mail Room Open House will still be conducted Tuesdays and Thursdays from 11:30A.M. to 12:00 P.M.

In addition, outgoing special mail weighing 16 ounces or greater must be processed as a package according to Bureau of Prisons P.S. 5800.10, Section 314, Mail Management. A Request-Authorization to Mail Inmate Package, form BP-329, must be completed by the inmate and brought to the Mail Room along with the package to be mailed out and the Supervisory Correctional Systems Specialist or CMC will sign the package authorization as the approving official at that time.

The private nature of outgoing special mail communication will not be compromised and will be processed in accordance with Bureau policy with regard to time-frames and these modified procedures. If you have any questions, please address them to Kathy Schwader, Supervisory Correctional Systems Specialist.

### **INMATE CORRESPONDENCE WITH REPRESENTATIVES OF THE NEWS MEDIA**

An inmate may write to representatives of the news media if specified by name or title. An inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in federal custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence, and for content which may promote either illegal activity or conduct contrary to regulations.

### **CORRESPONDENCE BETWEEN CONFINED INMATES**

Refer to current policy on how to request correspondence approval with another inmate. Ordinarily this privilege is only extended to members of the immediate family and co-defendants with pending appeals. All requests for these privileges are initiated at the Unit Team level.

### **REJECTION OF CORRESPONDENCE**

The Warden may reject correspondence or a publication sent by or to an inmate if it is determined to be detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity. Examples include:

It depicts or describes procedures for the construction or use of weapons, ammunition,

bombs, or incendiary devices.

It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons' institutions.

It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.

It is written in code.

It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.

It encourages or instructs in the commission of criminal activity.

It is sexually explicit material that by its nature or content poses a threat to the security, good order, or discipline of the institution.

Matter which is non-mailable under law or postal regulations.

Information of escape plots, of plans to commit illegal activities, or to violate institution rules.

Direction of an inmate's business (prohibited act 408). An inmate may not direct a business while confined.

### **NOTIFICATION OF REJECTION**

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection.

The inmate will also be notified of the rejection of correspondence and the reasons for it.

The inmate also has the right to appeal the rejection within 20 days of receipt. Rejected correspondence ordinarily will be returned to the sender.

### **PACKAGES**

The department authorizing a package will be responsible for picking up and distributing approved packages to the inmate. A copy of the authorization will be forwarded to R & D for filing. The authorizing department will ensure any package containing an unauthorized item will result in the entire package being refused and returned to the sender at the inmate's expense or donated to the institution within two weeks. The authorizing department is responsible for all processing transactions.

All packages for release clothing must be authorized in advance by the inmate's unit team. A BP-331(58), Authorization to Receive Package or Property, will be completed with the notation "RELEASE PACKAGE" (for filing purposes) written on the top of the form. The original and two copies will be forwarded to the mail room. Two copies will be given to the inmate with instructions to have his correspondent enclose one copy within the package. The package may not be allowed in until the inmate is within thirty days of release. Once the package is received into the institution, it will be delivered to the R & D area for further processing. (See Program Statement 5800.10, chapter 3, paragraph 310, for further instructions.)

All outgoing inmate packages must have a Request Authorization to Mail Inmate Package BP-239(58) filled out and signed when staff deliver the package to the mail room.

#### Recreation Staff:

Will authorize all inmate packages with recreation and hobbycraft items. This will follow the policy found in the institution supplement, Inmate Recreation Programs.

#### Education Staff:

Will authorize all inmate packages containing any education materials.

#### Correctional Counselors:

Will authorize only packages that do not contain any of the above items.

#### Medical Staff:

Will authorize all inmate packages containing any

medical materials.

The staff member authorizing the package will seal the package in front of the inmate and will deliver the package to the mail room. The inmate will place the needed postage on the package at the next open house. Packages which do not have postage placed on them at the next mail room open house will be returned to the department authorizing the package. At this time it may be considered contraband and be disposed of following the directions found in Program Statement 5580.07, Inmate Personal Property.

#### **CHANGE OF ADDRESS/FORWARDING OF MAIL**

The institution mail room will forward general correspondence for 30 days, after which it will be returned to sender.

#### **CERTIFIED AND REGISTERED MAIL**

Inmates wanting to send certified, registered, or insured mail are to report to the mail room staff who will determine weight, and postage.

#### **FUNDS RECEIVED THROUGH THE MAIL**

Cash/negotiable instruments can not be received at FPC Yankton for posting to an inmate's account. See page 12, Inmate Accounts, on how family/friends can mail funds in order to be posted to your account.

#### **INMATE TELEPHONE SYSTEM (TruFone)**

There are telephones in the unit for inmate use. No 3<sup>rd</sup> party, credit card, or call forwarding calls can be made on these lines. No toll free numbers are to be called. Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in disciplinary action and or prosecution. Loud and abusive language over the telephone is strictly prohibited. All inmate telephones are subject to monitoring and recording. Inmates must contact their Unit Team to arrange an unmonitored legal call. Telephones will not be used to conduct business. Institution telephones may not be used without permission of a staff member. Payment for calls made from institution telephones will be paid via the inmates commissary account.

Inmates wishing to make phone calls must fill out a Telephone Number Request form (BP505) and hand deliver the completed form to **his counselor**. If approved by the counselor the phone numbers will normally be entered in the phone system within five working days of staff receiving the form. Changes to phone lists may be submitted once per month.

Inmates will be issued a phone access code (PAC) which will be required to use the Inmate Telephone System (TruFone). The PAC number should be kept confidential and should not be shared with anyone. If the PAC number is compromised notify unit staff immediately. If problems occur with the telephone system send a cop-out to TruFone indicating the phone number/date/time and specific problem you are having. The form with your phone access code will also have dialing instructions. Inmates can make up to 300 minutes of calls per calendar month. This is any combination of direct and collect calls.

#### **INMATE TELEPHONE HOURS**

Telephones will be turned on during the following times:

Monday - Friday	6:00 AM - 7:30 AM
	10:30 AM - 12:30 PM
	5:00 PM - 10:00 PM
	10:30 PM - 11:30 PM



Saturday - Sunday  
& Federal Holidays 6:00 AM - 10:00 AM  
11:00 AM - 4:00 PM  
5:00 PM - 10:00 PM  
10:30 PM - 11:30 PM

All telephone calls will be limited to fifteen (15) minutes and there will be a thirty (30) minute waiting period between completed calls.

**The following should be used to transfer money or check account balances:**

### **“118” BALANCES AND OPTIONS**

All balances and options will be given to an inmate after dialing “118” and his Phone Access Code (PAC). The inmate will be given a list of menu options. All responses shall be spoken to the inmate in the language selected, using the Telephone Request Form.

Inmate: Dials 118 from any TruFone telephone  
System: Provides response “enter PAC number now” (the system shall be capable of accepting the PAC digits simultaneously while providing the voice messaging)  
Inmate: Enters PAC  
System: Provides menu options  
“Press 1 FOR YOUR TruFone BALANCE”  
“Press 2 FOR YOUR COMMISSARY BALANCE”  
“Press 3 TO TRANSFER FUNDS”  
“Press 4 TO HEAR COST OF LAST CALL”  
“Press 5 FOR NUMBER OF CALL MINUTES REMAINING”

Upon selection by an inmate the individual processes will be as follows;

- #1 For your TruFone Account Balance  
a) System: “your TruFone Account Balance is (amount)”
- #2 For your Commissary balance  
a) System: “Your Commissary balance is (amount)”
- #3 To transfer funds  
a) System: “your TruFone account balance is (amount), your commissary account balance is (amount). Enter the amount in whole dollars which you would like to transfer to your telephone account, followed by the # sign.” Press ‘1’ to confirm amount. Both new balances are announced.
- # 4 The cost of your last call  
a) System: “the cost of your last call is (amount)”
- # 5 For the number of call minutes  
a) System: “press 1 for the collect call minutes remaining”  
“press 2 for the direct dial minutes remaining”  
“press 3 for the total calling minutes remaining”

### **VISITING**

Inmates are encouraged to have visits in order to maintain family and community ties. Visiting may be limited due to overcrowding. On occasion, your visit can be cancelled due to severe overcrowding. To allow visiting on an equitable basis, a 3-week rotation

schedule based on your register number is utilized. See your assigned counselor for further information.

New inmates are asked to submit a visiting list which will be given to their Counselor for approval. You are responsible for informing your visitors when they are approved to visit. Visitors arriving at the institution without being approved will not be allowed to visit. Counselors will inform each inmate of the vouchering process required prior to approval. All visitors are required to complete the visiting questionnaire in its entirety, including telephone and social security numbers.

Social visits are permitted on Fridays, from 4:30 P.M. to 9:15 P.M., and on Saturdays, Sundays, and federal holidays from 8:15 A.M. to 3:00 P.M.

On Saturdays, Sundays, and federal holidays, there will be a 10:00 A.M. count. Visitors will be allowed to enter the visiting room until 9:15 A.M. Visitors arriving after 9:15 A.M. will not be allowed to visit until the 10:00 A.M. count clears. Visitors will not be allowed entrance after 8:30 P.M. on evening visits and after 2:30 P.M. on day visits.

Inmates must wear a full khaki uniform, neatly pressed and tucked, while visiting. The wearing of a white T-shirt for an outer garment is not permissible. Inmates are required to wear underwear. Institutional shoes or civilian shoes, including tennis shoes, are the only footwear authorized in the visiting room. No thongs, shower shoes, or slippers may be worn without authorization of the hospital. No sweat shirts or sweat pants may be worn in the visiting room. The inmate may have in his possession one handkerchief, one wedding ring, one comb and one pair of prescription glasses. Any deviation from the allowable items (i.e. bringing a watch) or arriving for a visit in inappropriate clothing will result in the inmate being sent back to his unit to return the non-allowable item or change to a more presentable uniform whichever is the case.

Visitors must be properly dressed. Short shorts, halter tops, and other clothing of a suggestive or revealing nature will not be permitted in the visiting room. Footwear must be worn by all visitors. All visits will begin and end in the visiting room. Kissing, embracing, and handshaking are allowed only on arrival and departure. Lengthy visiting with other inmates or their visitors in the institution's visiting areas is unauthorized.

The inmate and his adult visitors will be responsible for the conduct of their child visitors. Conduct of children must not interfere with the orderly running of the visiting room or other inmate visits. Inmates will be expected to pick up after themselves and their child visitors. Inmates and their family are expected to control their children. Failure to do so may result in termination of the visit.

Inmates assigned to the Special Housing Unit will be allowed 1- one hour visit on either Saturday or Sunday of their regular visiting weekend, with up to two immediate family members. This visit will be conducted via telephone "through the glass" in the Special Housing Unit and will be directly supervised by a staff member. Family members wishing to visit an inmate assigned to the Special Housing Unit will report directly to the regular Visiting Room, processed in and given instruction by staff on how and where to proceed next.

#### **IDENTIFICATION OF VISITORS**

A valid photo identification is required for visitors. This may include a state driver's license or state I.D. card. Birth certificates are not considered proper identification. Persons without proper identification will not be permitted to visit. All adult visitors will have their photo taken.

## **ITEMS AUTHORIZED IN THE VISITING ROOM**

The only authorized items allowed in the Visiting Room are the following: identification, keys, money for vending machines, feminine hygiene products, diapers and bottles for immediate infant care and asthmatic inhalers. Any item brought into the institution is subject to search. Diaper bags or strollers will not be allowed. Diapers and baby bottles will be carried in hand or in a clear plastic bag. Visitors may carry no more than one clear plastic change purse (approximately 5" X 8").

When medication is necessary, it will be kept by the Visiting Room Officer, except cardiac medication and asthmatic inhalers, which may be kept by the visitor or inmate.

It is suggested visitors leave large purses and other personal items at home or in the vehicles. Visitors may be asked to submit to a search and will be checked with a metal detector. No food may be brought into the visiting room, but vending machines are available. Advise your visitors the use of these machines is done so at their own risk.

Inmates are not allowed to receive money from visitors for deposit to their commissary account. Inmates are not allowed to handle or have in their possession any type of money. Visitors desiring to bring cash into the visiting room are limited to \$25.00 in increments of 1's 5's and ten's.

## **VISITOR INFORMATION**

Institution Telephone Number: 605-665-3262

The Federal Prison Camp, Yankton, SD, is located approximately 60 miles northwest of Sioux City, Iowa, and 85 miles southwest of Sioux Falls, South Dakota.

## **SPECIAL VISITS**

Inmates having special visiting requests must submit an Inmate Request to Staff Member to the Captain for approval. These are unscheduled visits, not included in the inmate's visiting list. They include clergy, potential employers, or immediate family members not included on the approved visiting list.

## **ACCESS TO LEGAL SERVICES**

### **LEGAL CORRESPONDENCE**

Legal correspondence from attorneys will be treated as special mail if it is properly marked. The envelope must be marked with the attorney's name and an indication that he or she is an attorney. The front of the envelope must be marked "Special Mail - open only in the presence of the inmate." It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be treated as general correspondence.

### **ATTORNEY VISITS**

Attorneys must make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged at other times based on the circumstances of each case and available staff. Attorney visits will be subject to visual monitoring, but not audio monitoring. Contact your Case

Manager for further information on arranging an attorney visit.

### **LEGAL MATERIAL**

During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area with prior approval. Legal material may be transferred during attorney visits, but is subject to inspection for contraband. This material will be treated in a similar manner as the special mail procedures described above. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

### **ATTORNEY PHONE CALLS**

To arrange an unmonitored telephone call between yourself and your attorney, you must have him or her contact your Case Manager to schedule the call. Telephone calls to attorneys placed through the regular inmate phones are subject to monitoring.

### **LAW LIBRARY**

The law library is located in the Education Department and contains a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institution Supplements, Indexes, and other legal materials. An inmate librarian is available for assistance in legal research. The law library hours are as follows:

Monday through Thursday	8:00 A.M. - 11:00 A.M. 12:15 P.M. - 3:45 P.M. 5:00 P.M. - 8:50 P.M.
Friday	8:00 A.M. - 11:00 A.M. 12:15 P.M. - 3:45 P.M.
Weekends & Holidays	8:00 A.M. - 9:45 A.M. 11:30 A.M.- 3:45 P.M.

### **NOTARY PUBLIC**

Unit Secretaries are authorized to notarize an inmate's signature. 18USG 4004, allows a statement to the effect that papers which an inmate signs are "true and correct under penalty of perjury" and will suffice in federal courts and other federal agencies, unless specifically directed to do otherwise. Some states will not accept a government notarization for real estate transactions or automobile sales. In these cases, it will be necessary to contact your case manager.

### **COPIES OF LEGAL MATERIALS**

In accordance with institution procedures, inmates may copy materials necessary for their research or legal matters. A DEBITEK copy machine is available in the library for inmate use. Individuals who have no funds and who can demonstrate a clear need for particular copies, may submit a written request through unit staff for a reasonable amount of free duplication.

### **FEDERAL TORT CLAIMS**

If the negligence of institution staff results in personal injury or property loss or damage to an inmate, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates must complete a Standard Form 95. They can obtain this form from the Business Office.

### **FREEDOM OF INFORMATION/PRIVACY ACT OF 1974**

The Privacy Act of 1974 forbids the release of information from agency records without a written request by, or without the prior written consent of, the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and or agency record other than those pertaining to themselves (including Program Statements and Operations Memoranda) shall be processed through the Freedom of Information Act, 5 USC 552.

### **VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT (VCCLEA) of 1994**

As a result of the VCCLEA, the Bureau of Prisons is required to notify state and local law enforcement officials at least five days prior to releasing to supervised release, probation or parole, prisoners who have been convicted of a "drug trafficking crime", or "crime of violence". If you fall into one of these categories, you will be notified by staff at your first team meeting.

### **INMATE ACCESS TO CENTRAL FILES**

An inmate may request review of disclosable portions of his central file. Your assigned Case Manager must be contacted for details.

### **INMATE ACCESS TO OTHER DOCUMENTS**

An inmate can request access to the "Non-Disclosable Documents" in his central file and medical file, or other documents concerning himself that are not in his central file or medical file, by submitting a "Freedom of Information Act Request" to the Director of the Bureau of Prisons, Attention: FOI Request, 320 First Street, NW, Room 654, Washington, DC 20534. Such a request must briefly describe the nature of records requested and approximate dates covered by the record. The inmate must also provide his register number and date of birth for identification purposes.

A request on behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a "Privacy Act Request" if the attorney has forwarded an inmate's written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

### **EXECUTIVE CLEMENCY**

The Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon can be in "full" or "partial" depending on whether it absolves a person from all or a portion of the crime. A pardon may have conditions imposed upon it or it can be "absolute", which is without conditions of any kind. A pardon restores basic civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (a reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

### **COMMUTATION OF SENTENCE**

The Bureau also advises inmates on commutation of sentences. This is the form of executive clemency power used to provide post-conviction relief to inmates during their incarceration. This clemency power is authorized by the Constitution for the Chief Executive Officer, who is the President of the United States for federal offenses. Commutation of sentence is usually the last chance to correct an injustice which has

occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms that are available from the assigned Unit Team. The rules governing these petitions are available in the law library.

A pardon may not be applied for until the expiration of at least five years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of narcotics laws, gun control laws, income tax laws, perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

## **PROBLEM RESOLUTION**

### **INMATE REQUESTS TO STAFF MEMBER**

An Inmate Request To Staff Member form, commonly called a "cop-out", is used to make a written request to a staff member.

Any type of request can be made with this form. "Cop-Outs" may be obtained in the housing units from the Correctional Officer or Unit Management staff on duty. Staff members who receive a "Cop-Out" will answer the request in a "reasonable" period of time.

### **ADMINISTRATIVE REMEDY PROCESS**

The Bureau of Prisons encourages the resolution of complaints on an informal basis. An inmate may resolve a problem informally by contact with staff members or "cop-outs". When informal resolution is not successful, however, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy procedure is the documentation of the informal resolution attempts. Inmates may present their complaints to their Correctional Counselor.

The counselor will complete the informal resolution sheet and will attempt to resolve the issue raised usually within three days.

If the issue cannot be informally resolved, the Counselor will issue a BP-229 form. The inmate will return the completed form to the Correctional Counselor. The BP-9 complaint must be filed within twenty calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time. Institution staff have twenty calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty calendar days, but the inmate will be notified of the extension.

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, and within forty-eight hours from receipt of the complaint.

If the inmate is not satisfied with the response to the BP-9, he may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty calendar days from the date of the BP-9 response. The Regional Appeal is written on a BP-230 (BP-10) form, and must have a copy of the BP-9 form and response attached. The Regional Appeal must be answered within thirty calendar days, but the time limit may be

extended an additional thirty days. The inmate will be notified of the extension.

If the inmate is not satisfied with the response by the Regional Director, he may appeal to the Central Office of the Bureau of Prisons. This appeal must be received in the Central Office within 30 calendar days from the date of the BP10. The National Appeal must be made on a BP-231 (BP-11) form and must have copies of the BP-9 and BP-10 forms with responses. The BP-11 form may be obtained from the Correctional Counselor. The National Appeal must be answered within forty calendar days, but the time limit may be extended an additional twenty days if the inmate is notified.

In writing a BP-229 (BP9), BP-230 (BP10), or BP-231 (BP11), the form should be written in three sections:

Statement of Facts

Grounds for Relief

Relief Requested

### **SENSITIVE COMPLAINTS**

If an inmate believes a complaint is of such a sensitive nature that he would be adversely affected if the complaint became known to the institution, he may file the complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees that the complaint is sensitive, it shall be accepted and a response to the complaint will be processed.

If the Regional Director does not agree that the complaint is sensitive, the inmate will be advised in writing of that determination. If the complaint is not determined to be sensitive, it will be returned. The inmate may then pursue that matter by filing a BP-9 at the institution.

### **RELEASE**

### **SENTENCE COMPUTATION**

The Designations and Sentence Computation Center in Grand Prairie, TX, is responsible for the computation of inmate sentences. An inmate will be given a copy of his sentence computation by the Records Office within approximately thirty days of arriving to FPC Yankton.

Any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision, are resolved by staff upon inmate request for clarification.

### **FINES AND COSTS**

In addition to jail time, the court may impose a committed or non-committed fine or costs. Committed fines mean that the inmate will stay in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (pauper's oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payment for a non-committed fine or cost is not required for release from prison.

### **DETAINERS**

Warrants (or certified copies of Warrants) based on pending charges, over-lapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions, will be accepted as detainers. Detainers and untried charges can have an effect on institutional programs. Therefore, it is very important that the inmate initiate efforts to clear up these cases to the degree he can.

Case Management staff may give assistance to offenders in their efforts to have detainers

against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement for concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances.

State detainees may be quickly processed under the procedures of the "Interstate Agreement on Detainers."

This agreement applies to all detainees based on pending charges which have been lodged against an inmate by a "member" state, regardless of when the detainee was lodged. For an inmate to use this procedure, the warrant must be lodged with the institution. If no detainee is actually lodged at the institution, but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney because, in some states, the detainee notice may start the time running for a Speedy Trial Act Agreement.

Prior Custody Credit or Jail Credit (Title 18 USC 3585 (b) (1)(b)(2)) for new law sentences: Any time spent in official detention from the date of federal offense to imposition of sentence, may be eligible for prior custody credit, if it has not been credited toward the service of another sentence. Any time spent in a halfway house, treatment center, or home confinement **AS A CONDITION OF BOND**, is usually not applicable.

### **GOOD CONDUCT GOOD TIME**

This applies to inmates sentenced for an offense committed after November 1, 1987. The Comprehensive Crime Control Act became law November 1, 1987. The two most significant changes in the sentencing statutes deal with good time and parole issues. There are no provisions under the new law for parole. The only good time available is fifty-four days per year of good conduct time. This may not be awarded until the end of the year and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory good time or extra good time for offenders who committed their crimes after November 1, 1987.

**Sentence Reform Act (SRA)**-For offenses committed on or after November 1, 1987, but prior to September 13, 1994. These sentences earn good conduct time credit at a rate of 54 days for each year served except for:

- Sentences of imprisonment less than or equal to one year.

- Sentences of imprisonment for the duration of one's life.

For each year served, 54 days (minus disallowance, if any) will be deducted from your tentative full term date. Credit earned during the last year if it is a portion of a full year shall be prorated. Unlike "Old Law" good time, credit which has been vested may not be withdrawn. Likewise, credit which has not been earned may not be granted later.

### **VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT (VCCLEA) AND PRISON LITIGATION REFORM ACT ( PLRA) SENTENCES**

The VCCLEA provisions apply to offenses which were committed on or after September 13, 1994, but prior to April 26, 1996. Two of the SRA sections amended by the VCCLEA have major sentencing implementation significance. Those sections are **18 U.S.C. § 3621(e) (Substance abuse treatment)** and **§ 3624(b) (Credit for service of sentence for satisfactory behavior)**.

The VCCLEA added subsection **§ 3621(e)**, which authorizes a method of early release for those qualified prisoners who successfully complete a drug treatment program.



This new provision is discussed in the Inmate Drug Abuse Program Manual and various Operations Memoranda.

The **VCCLEA** amendments to § 3624(b) create distinctions between violent and non-violent offenders and prisoners who have a high school diploma or equivalency, or are making satisfactory progress towards same. These distinctions can affect the awarding, disallowing and vesting of good conduct time, and may affect a prisoner's participation in certain programs.

The **PLRA** provisions are effective for offenses committed on or after April 26, 1996. 18 U.S.C. § 3624(b) was amended to hold **all prisoners** to an "exemplary compliance" standard for violations of institutional rules and regulations. In addition, the amendment further requires the Bureau to consider educational progress toward earning a high school diploma or an equivalent degree in awarding good conduct time credits. The PLRA also specifies that good conduct time shall vest on the date the prisoner is released from custody. This means that all earned good conduct time for the year, or years, preceding the current or prorated year, is available for forfeiture throughout service of the sentence. Good conduct time for the current or prorated year may be disallowed.

Please note that the § 3624(b) **VCCLEA** provisions apply to any offense committed during the period of time from September 13, 1994, to April 26, 1996.

**THE GOOD TIME DISCUSSIONS BELOW APPLY ONLY TO INMATES WHOSE CRIMES WERE COMMITTED PRIOR TO NOVEMBER 1, 1987.**

**GOOD TIME**

"Good Time" awarded by the Bureau of Prisons under statutes enacted prior to November 1, 1987, has the effect of reducing the stated term of the sentence -- that is, it advances the date when release will be mandatory if the offender is not paroled at an earlier date. The award of good time does not in itself advance the offender's release date. It has that effect only if the offender would not otherwise be paroled before the mandatory date.

The behavior for which good time is awarded may also be considered by the Parole Commission in setting a parole date. This is not always done. However, even when it is, the extent of the benefit to the offender may not be equivalent to the good time earned.

**STATUTORY GOOD TIME**

Under 18 U.S. Code 4161, an offender sentenced to a definite term of six months or more is entitled to a deduction from his term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

Not greater than one year - five days for each month of a sentence not less than six months or no more than one year sentence

More than one year, less than three years - six days for each month of the stated sentence

At least three years, less than five years - seven days for each month of the stated sentence

At least five years, less than ten years - eight days for each month of the stated sentence

Ten years or more - ten days for each month of the stated sentence

At the beginning of a prisoner's sentence, the full amount of statutory good time is credited, subject to forfeiture if the prisoner commits disciplinary infractions.

If the sentence is for five years or longer, 18 USC 4206(d) requires the Parole Commission to release an offender after he has served two-thirds of the sentence, unless the Commission determines that he has seriously violated Bureau of Prisons rules or

regulations or that there is a reasonable probability that he will commit a crime. For offenders serving sentences of five to ten years, this provision may mandate release before the date established by subtracting good time from the sentence.

Statutory Good Time does not apply to life sentences or to those few inmates remaining who were sentenced under the Youth Corrections Act. It applies to a split sentence if the period of confinement is exactly six months; a shorter period does not qualify for good time under the statute, and a longer period cannot be part of a split sentence.

**THE FOLLOWING APPLIES ONLY TO INMATES SENTENCED FOR AN OFFENSE COMMITTED PRIOR TO November 1, 1987.**

**EXTRA GOOD TIME**

The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, or for performing duties of outstanding importance, or for employment in an industry or camp.

An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial or camp good time is not eligible for meritorious good time), except that a lump sum award may be given in addition to another extra good time award. Neither the Warden nor the Disciplinary Hearing Officer may forfeit or withhold extra good time.

The Warden may disallow or terminate the awarding of any type of extra good time (except for lump sum awards), but only in a non-disciplinary context and only upon recommendation of staff. The Disciplinary Hearing Officer may also disallow or terminate the awarding of any type of extra good time (except lump sum awards) as a disciplinary sanction. Once an awarding of meritorious good time has been terminated, the Warden must approve a new staff recommendation in order for the award to re-commence. A "disallowance" means that an inmate does not receive an extra good time award for only one calendar month.

A "disallowance" must be for the entire amount of extra good time for that calendar month. There may be no partial disallowance. A decision to disallow or terminate extra good time may not be suspended pending future consideration. A retroactive award of meritorious good time may not include a month in which extra good time has been disallowed or terminated.

**Residential Re-Entry Center GOOD TIME**

Extra good time for an inmate in a Federal or contract Residential Re-Entry Center is awarded automatically beginning on arrival at that facility and continuing as long as the inmate is confined to the Center, unless the award is disallowed.

**CAMP GOOD TIME**

An inmate assigned to a camp is automatically awarded extra good time, beginning on the date of commitment to the camp and continuing as long as the inmate is assigned to the camp unless the award is disallowed.

**LUMP SUM AWARDS**

Any staff member may recommend to the Warden the approval of an inmate for a lump sum award of extra good time. Such recommendations must be for an exceptional act or service that is not a part of a regularly assigned duty. The Warden may make lump sum awards of extra good time of not more than thirty days.

If the recommendation is for more than thirty days and the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

No award will be approved if the award would be more than the maximum number of days allowed under 18 USC 4162. The actual length of time served on the sentence, including jail credit time, is the basis on which the maximum amount of the award is calculated. Any extra good time already earned will be subtracted from this stated maximum. Staff may recommend lump sum awards of extra good time for the following reasons:

- \* An act of heroism;
- \* Voluntary acceptance and satisfactory performance of an unusually hazardous assignment; an act which protects the lives of staff or inmates or the property of the United States.
- \* This is to be an act and not merely the providing of information in custodial or security matters;
- \* A suggestion which results in substantial improvement of a program or operation, or which results in significant savings; or any other exceptional or outstanding service.

### **GOOD TIME PROCEDURES**

Extra good time is awarded at a rate of three days per month during the first twelve months, and at the rate of five days per month thereafter (i.e., the first twelve months, as stated, means 11 months and 30 days - day for day - of earning extra good time before an inmate can start earning five days per month. For example, if an inmate were to stop working, transfer from industry to an institution job, or if good time was terminated for any reason, the time that the inmate is not earning good time does not count in the calculation of the first twelve months). If the beginning or termination date of an extra good time award occurs after the first day of the month, a partial award of days is made. An inmate may be awarded extra good time even though some or all of the inmate's statutory good time has been forfeited or withheld.

Extra good time is not automatically discontinued while an inmate is hospitalized, on furlough, out of the institution on writ of Habeas Corpus, or removed under the Interstate Agreement on Detainers Act. Extra good time may be terminated or disallowed during such absences if the Warden finds that the inmate's behavior warrants such action.

An inmate committed for civil contempt is not entitled to extra good time deductions while serving the civil contempt sentence.

An inmate in an extra good time earning status may not waive or refuse extra good time credits.

Once extra good time is awarded, it becomes vested and may not be forfeited or withheld or retroactively terminated or disallowed.

### **PAROLE**

Parole is release from incarceration under conditions established by the U.S. Parole Commission. Parole is not a pardon or an act of clemency. A parolee remains under the supervision of a U.S. Probation Officer until the expiration of his full term.

Inmates are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXCEPTIONS: A prisoner with a minimum parole ineligibility of ten years or more). If the inmate chooses not to appear before the Parole Board within the first 120 days of commitment, a waiver must be given to the Case Manager or Correctional Counselor prior to the time of the scheduled Parole Hearing.

This waiver will be made part of the Parole Commission file and the inmate's central file.

Parole hearings are not conducted at FPC Yankton, therefore, an inmate requiring an in-person hearing would be temporarily transferred to another institution where parole hearings are held.

All inmates who previously waived a Parole Hearing are eligible to appear before the Parole Board at any regularly scheduled hearing after they waive. Application for a Parole Hearing must be made at least 60 days before the first day of the month of the hearings. The Parole Board conducts hearings at specified Bureau institutions every two months.

Application to the Parole Commission for a hearing is the responsibility of the inmate, but in certain cases the Unit Team will assist the inmate if necessary. Application forms may be obtained from the Case Manager or Correctional Counselor.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendations of the hearing examiners must be confirmed by the Regional Office of the Parole Board. This confirmation usually takes three to four weeks and is made through the mail on a form called a "Notice of Action." This decision may be appealed by the inmate. Forms for appeal may be obtained from unit Correctional Counselors or Case Managers.

If granted a presumptive parole date (a parole date more than six months following the hearing), a Parole Progress Report will be sent to the Parole Board three to eight months before the parole date. Parole may be granted to a detainer or for the purpose of deportation.

The inmate should have an approved residence and an approved employer before being released on parole.

### **RELEASE PLANNING**

If granted Parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. This serves to change an inmate's parole status from presumptive to effective. An approved parole plan consists of an offer of employment and a place to reside.

The job must pay at least minimum wage and normally may not require extensive travel.

The place to reside must be a reputable establishment, but can be almost anywhere (parents, wife, friend, YMCA). The proposed parole plan is thoroughly investigated by the U.S. Probation Officer and must be approved prior to an inmate's release from custody.

The parole plan is part of the material which is submitted in connection with the parole hearing. The Unit Team submits the inmate's release plans to the U.S. Probation Officer approximately three to six months before the scheduled parole date.

### **HALFWAY HOUSE TRANSFERS**

Inmates who are nearing release and who need assistance in obtaining a job, residence, or other community resources may be transferred to a community corrections program. Refusal of an inmate to participate in halfway house placement may result in disciplinary action taken against the inmate, job change, denial of furloughs and/or consideration for CSP participation.

The Bureau's Community Corrections Branch, within the Correctional Programs Division, supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Community Corrections Manager (CCM) links the Bureau of Prisons with the U.S. Courts, other federal agencies, state and local governments, and the community. Located strategically throughout the country, the CCM is responsible for developing and maintaining a variety of contract facilities and programs working under the supervision of the appropriate regional administrator.

Community programs have three major emphases: residential community-based programs provided by Residential Re-Entry Centers and local detention facilities, programs that provide intensive nonresidential supervision to offenders in the community, and programs that board juvenile and adult offenders in contract correctional facilities.

The community-based residential programs available include both typical Residential Re-Entry Centers and local detention facilities. Each provides a suitable residence, structured programs, job placement, and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment.

While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate's payment rate during Residential Re-Entry Center residence is 25 percent of their income.

Most Bureau of Prisons community-based residential programs are provided in Residential Re-Entry Centers (RRC's). These facilities contract with the Bureau of Prisons to provide residential correctional programs as near the offender's release residence as is possible. All inmates nearing the end of their incarceration are expected to utilize the services of halfway house placement. RRC's are used primarily for two types of offenders.

- \* Those nearing release from a BOP institution, as a transitional service while the offender is finding a job, locating a place to live, and re-establishing family ties.
- \* Those under community supervision who need guidance and supportive services beyond what can be provided through regular supervision.

Each Residential Re-Entry Center now provides two components within one facility, a pre-release component, and a community corrections component. The pre-release component assists offenders making the transition from an institutional setting to the community, or as a resource while under supervision. The community corrections component is designed as a punitive sanction. Except for employment and other required activities, the offenders in this second, more restrictive component must remain at the Residential Re-Entry Center, where recreation, visiting, and other activities are provided in-house.

The other option for community-based residential programming is local detention facilities. Many of these facilities have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs similar to the Community Corrections Component in a Residential Re-Entry Center serving to facilitate the transition from the institution to the community.

## **TRANSPORTATION UPON RELEASE**

You will be contacted by a member of the Unit Team to inquire as to the mode of

transportation home or to the halfway house. Inmates desiring to have a family member or friend pick them up may do so with the understanding all costs involved are at his or the family's expense. An individual not on the inmate's approved visiting list must submit a visiting form authorizing staff to conduct the required background check. Changes to travel less than three weeks to release will be made only in emergencies and only with the approval of the Unit Manager. All travel will be approved by the Unit Manager.

## **CONDUCT**

Everyone is expected to respect the rights and property of others. Privileges are granted as long as they are not abused. Every inmate is expected to use mature judgement and be considerate in his dealing with others. Rules and regulations are necessary to maintain a healthy, safe, and secure living environment. Below is a list of your rights and responsibilities followed by a list of acts prohibited in all federal institutions.

1. **RIGHT:** You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.

**RESPONSIBILITY:** You have the responsibility to treat others, both staff and inmates, in the same manner. You will respectfully address staff using their last name or position title.

2. **RIGHT:** You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.

**RESPONSIBILITY:** You have the responsibility to know and abide by them.

3. **RIGHT:** You have the right to freedom of religious affiliation and voluntary religious worship.

**RESPONSIBILITY:** You have the responsibility to recognize and respect the rights of others in this regard.

4. **RIGHT:** You have the right to health care which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.

**RESPONSIBILITY:** It is your responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.

5. **RIGHT:** You have the right to visit and correspond with family members, friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.

**RESPONSIBILITY:** It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.

6. **RIGHT:** You have the right to unrestricted and confidential access to the courts by correspondence on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.

**RESPONSIBILITY:** You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.

7. **RIGHT:** You have the right to legal counsel from an attorney of your choice by interviews and correspondence.  
**RESPONSIBILITY:** It is your responsibility to use the services of an attorney honestly and fairly.

8. **RIGHT:** You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

**RESPONSIBILITY:** It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

9. **RIGHT:** You have the right to a wide range of reading materials for educational purpose and for your enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

**RESPONSIBILITY:** It is your responsibility to seek and utilize such materials for your personal benefits without depriving others of their equal rights to the use of these materials.

10. **RIGHT:** You have the right to participate in education, vocational training, and employment as far as resources are available, and in keeping with your interests, needs, and abilities.

**RESPONSIBILITY:** You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.

11. **RIGHT:** You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and savings accounts, and for others of their equal rights to the use of this material.

**RESPONSIBILITY:** You have the responsibility to meet your financial and legal obligations, including but not limited to court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds to assist your family.

## **DISCIPLINARY PROCEDURES**

### **DISCIPLINE**

It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committees (UDC) and, for more serious violations, the Disciplinary Hearing Officer. Inmates are advised upon arrival at the institution of the rules and regulations and are provided with copies of the Bureau's Prohibited Acts, as well as local regulations.

### **INMATE DISCIPLINE INFORMATION**

If a staff member observes or believes he or she has evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a

written copy of the charges against the inmate. The incident report shall ordinarily be delivered to the inmate within twenty-four hours of the time staff become aware of the inmate's involvement in the incident. An informal resolution of the incident may be attempted by the Correctional Supervisor.

If an informal resolution is accomplished, the incident report will be removed from the inmate's record. Informal resolution is encouraged by the Bureau of Prisons for all violations except those in the greatest and high severity category. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an initial hearing. Violations in the greatest severity category must be forwarded to the Disciplinary Hearing Officer for final disposition.

### **INITIAL HEARING**

Inmates must ordinarily be given an initial hearing within three work days of the time staff become aware of the inmate's involvement in the incident (excluding the day staff became aware of the incident, weekends, and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence in his behalf. The UDC must give its decision in writing to the inmate by the close of business the next work day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over five days. The inmate must be provided with written reasons for any extension. The UDC will either make final disposition of the incident or refer it to the Disciplinary Hearing Officer (DHO) for final disposition.

All high category offense charges for VCCLEA inmates rated as violent and for PLRA inmates must be referred to the DHO.

The UDC ordinarily shall refer to the DHO a moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed a moderate category offense during the inmate's current anniversary year. The UDC ordinarily shall refer to the DHO a low moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed two low moderate category offenses during the inmate's current anniversary year.

### **DISCIPLINARY HEARING OFFICER (DHO)**

The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on serious rule violations. The DHO may not act on a case that has not been referred by the UDC.

An inmate will be provided with advance written notice of the charges not less than 24 hours before the inmate's appearance before the DHO. The inmate may waive this requirement. An inmate will be provided with a full-time staff member to represent them if requested. An inmate may make statements in his own defense and may produce documentary evidence. The inmate may present a list of witnesses and request they testify at the hearing. Inmates may not question a witness at the hearing; the staff representative or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant.

The inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

### **APPEALS OF DISCIPLINARY ACTIONS**



Appeals of all disciplinary actions may be made through Administrative Remedy procedures. UDC appeals are made to the Warden (BP-9) and may proceed to the Regional Director (BP-10), and the General Counsel (BP-11). DHO appeals are initiated directly to the Regional Director (BP-10). On appeal, the following items will be considered:

- \* Whether the UDC or DHO substantially complied with the regulations on inmate discipline.
- \* Whether the UDC or DHO based its decisions on substantial evidence.
- \* Whether an appropriate sanction was imposed according to the severity level of the prohibited act.

The staff member who responds to the appeal may not be involved in the incident in any way. These staff members include UDC members, the DHO, the investigator, the reporting officer, and the staff representative. UDC Appeals are made on BP-9's within 20 calendar days of written notification of decision. DHO Appeals are made on BP-10's within 20 calendar days of written notification of decision.

### **PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE**

There are four categories of prohibited acts - Greatest, High, Moderate, and Low Moderate (each category of prohibited acts is listed below).

Specific sanctions are authorized for each category. Imposition of a sanction requires that the inmate first is found to have committed a prohibited act.

1) **GREATEST CATEGORY OFFENSES:** The Discipline Hearing Officer (DHO) shall impose and execute one or more of sanctions A through E. The DHO may also suspend one or more additional sanctions A through G. The DHO may impose and execute sanctions F and G only in addition to execution on one or more of sanctions A through E.

2) **HIGH CATEGORY OFFENSES:** The DHO shall impose and execute one or more of sanctions A through M, and may also suspend one or more additional sanctions A through M. The Unit Discipline Committee (UDC) shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M.

3) **MODERATE CATEGORY OFFENSES:** The DHO shall impose at least one sanction A through N, but may suspend any sanction or sanctions imposed. The UDC shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed.

4) **LOW MODERATE CATEGORY OFFENSES:** The DHO shall impose at least one sanction B.1, or E through P. The DHO may suspend E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). The UDC shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning an escape would be considered as Escape and coded 102A. Likewise, attempting the adulteration of any food or drink would be coded 209A.

Suspensions of any sanction cannot exceed six months. Revocation and execution of a suspended sanction require that the inmate first is found to have committed any subsequent prohibited act. Only the DHO may execute, suspend, or revoke and execute suspensions of sanctions A through F. The DHO or UDC may execute, suspend, or revoke and execute suspensions of sanctions G

through P. Revocations and execution of suspensions may be made only at the level (DHO or UDC) which originally imposed the sanction.

When an inmate receives an incident report while on a DHO imposed, but suspended sanction, the new incident report is to be forwarded by the UDC to the DHO both for a final disposition on the new incident report, and for a disposition on the suspended sanction. This procedure is not necessary when the UDC informally resolves the new incident report.

If the UDC has previously imposed a suspended sanction and subsequently refers a case to the DHO, the referral shall include an advisement to the DHO of any intent to revoke that suspension if the DHO finds that the prohibited act was committed, the DHO shall so advise the UDC who may then revoke the previous suspension.

The UDC or DHO may impose increased sanctions for repeated, frequent offenses according to the guidelines presented.

### **GREATEST CATEGORY**

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

- 100 Killing
- 101 Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)
- 102 Escape from escort; escape from a secure institution or escape from a minimum security institution with violence
- 103 Setting a fire (charge with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)
- 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition
- 105 Rioting
- 106 Encouraging others to riot
- 107 Taking hostage(s)
- 108 Possession, manufacture, or introduction of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade)
- 110 Refusing to provide a urine sample or to take part in other drug-abuse testing
- 111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by medical staff
- 112 Use of narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 113 Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 197 Use of telephone to further criminal activity
- 198 Interfering with staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable
- 199 Conduct which disrupts or interferes with the security of orderly running of the institution or the Bureau of Prisons. (Conduct must be of the greatest severity nature) This charge is to be used only when another charge of greatest severity is not applicable

## HIGH CATEGORY

- 200 Escape from unescorted community programs and activities and minimum security institutions and from outside secure institutions -- without violence
- 201 Fighting with another person
- 202 (Not to be used)
- 203 Threatening another with bodily harm or any other offense
- 204 Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing
- 205 Engaging in sexual acts
- 206 Making sexual proposals or threats to another
- 207 Wearing a disguise or a mask
- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure
- 209 Adulteration of any food or drink
- 211 Possessing any officer's or staff clothing
- 212 Engaging in, or encouraging a group demonstration
- 213 Encouraging others to refuse to work, or to participate in a work stoppage
- 214 (Not to be used)
- 215 Introduction of alcohol into BOP facility
- 216 Giving or offering an official or staff member a bribe, or anything of value
- 217 Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purpose
- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, or damaging life-safety devices (e.g., fire alarm) regardless of financial value.
- 219 Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored.)
- 220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercise or drill
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission
- 222 Making, possessing, or using intoxicants
- 223 Refusing to breathe into a breathalyzer or take part in other testing of use of alcohol
- 224 Assaulting any person (charged with this act only when a less serious physical injury or contact has been attempted or carried out by an inmate)
- 297 Use of the telephone to abuse other than criminal activity (e.g., circumventing telephone monitoring procedures, possession or use of another inmate's PIN number; third party calling; third party billing; using credit card numbers to place telephone calls; conference calling; talking in code.)
- 298 Interfering with a staff member in the performance of duties. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of high severity is not applicable.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of high severity is not applicable.

## **MODERATE CATEGORY**

- 300 Indecent exposure
- 301 (not to be used)
- 302 Misuse of authorized medication
- 303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized
- 304 Loaning of property or anything of value for profit or increased return
- 305 Possession of anything not authorized for retention of receipt by the inmate, and not issued to him through regular channels
- 306 Refusing to work or to accept a program assignment
- 307 Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)
- 308 Violating a condition of a furlough
- 309 Violating a condition of a community program
- 310 Unexcused absence from work or any assignment
- 311 Failing to perform work as instructed by the supervisor
- 312 Insolence towards a staff member
- 313 Lying or providing a false statement to a staff member
- 314 Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)
- 315 Participating in an unauthorized meeting or gathering
- 316 Being in an unauthorized area
- 317 Failure to follow safety or sanitation regulations
- 318 Using any equipment or machinery which is not specifically authorized
- 319 Using any equipment or machinery contrary to instructions or posted safety standards
- 320 Failing to stand count
- 321 Interfering with the taking of count
- 322 (Not to be used)
- 323 (Not to be used)
- 324 Gambling
- 325 Preparing or conducting a gambling pool
- 326 Possession of gambling paraphernalia
- 327 Unauthorized contact with the public
- 328 Giving money or anything of value to, or accepting money or anything of value from another inmate, or any other person without staff authorization
- 329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less
- 330 Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards
- 331 Possession, manufacture, or introduction of non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety. Other non-hazardous contraband includes such items as food or cosmetics)
- 332 Smoking Where Prohibited
- 397 Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).

- 398 Interfering with a staff member in the performance of duties. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Moderate Severity nature). This charge is to be used only when another charge of moderate severity is not applicable.

#### **LOW MODERATE CATEGORY**

- 400 Possession of property belonging to another person
- 401 Possessing unauthorized amount of otherwise authorized clothing
- 402 Malingering, feigning illness
- 404 Using abusive or obscene language
- 405 Tattooing or self-mutilation
- 406 Not to be used
- 407 Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time of these privileges may often be an appropriate sanction G)
- 408 Conducting a business
- 409 Unauthorized physical contact (e.g., kissing, embracing)
- 410 Unauthorized use of mail (Restriction, or loss for a specific period of time of these privileges may often be an appropriate sanction. May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use; e.g., used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, Assault)
- 497 Use of the telephone for abuses other than criminal activity. (e.g., using the telephone in an unauthorized area, placing of an unauthorized individual on the telephone list)
- 498 Interfering with a staff member in the performance of duties. (Conduct must be of the Low Moderate Severity nature.) This charge is to be used only when another charge of Low Moderate severity is not applicable.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Low Moderate Severity nature.) This charge is to be used only when another charge of low moderate severity is not applicable.

#### **SANCTIONS**

Sanctions of the Disciplinary Hearing Officer:

- A. Recommend parole date rescission or retardation. The DHO may make recommendations to the U.S. Parole Commission for retardation or rescission of parole grants. This may require holding fact-finding hearings upon request of or for the use of the Commission.
- B. Forfeit earned statutory good time and/or terminate or disallow extra good time. The statutory good time available for forfeiture is limited to an amount computed by multiplying the number of months served at the time of the offense for which forfeiture action is taken, by the applicable monthly rate specified in 18 USC, Section 4161 (less any previous forfeiture or withholding outstanding). Disallowance of extra good time is limited to the extra good time for the calendar month which the violation occurs. It may not be withheld or restored. The sanction of termination or disallowance of extra good time may not be suspended. Authority to restore forfeited statutory good time is delegated to the Warden. This decision may not be delegated lower than the Associate Warden level. Limitations on this sanction and eligibility for restoration are based on the severity scale.
- B.1 Disallowance of Good Conduct Time. An inmate sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act (includes the inmate who committed his or her crime on or after November 1, 1987) may not receive statutory good

time, but is eligible to receive 54 days good conduct time credit each year (18 U.S.C. § 3624(b)). Once awarded, the credit is vested, and may not be disallowed. However for crimes committed on or after September 13, 1994, and prior to April 26, 1996, credit toward an inmate's service of sentence shall not be vested unless the inmate has earned or is making satisfactory progress toward a high school diploma or an equivalent degree, or has been exempted from participation because of a learning disability. For crimes committed on or after April 26, 1996, credit toward an inmate's service of sentence shall vest on the date the inmate is released from custody. Once disallowed, the credit may not be restored, except by immediate review or appeal action as indicated below. Prior to this award being made, the credit may be disallowed for an inmate found to have committed a prohibited act. A sanction of disallowance of good conduct time may not be suspended. Only the DHO can take action to disallow good conduct time. The DHO shall consider the severity of the prohibited act and the suggested disallowance guidelines in making a determination to disallow good conduct time. A decision to go above the guideline range is warranted for a greatly aggravated offense or where there is a repetitive violation of the same prohibited act that occurs within a relatively short time frame (e.g., within 18 months for the same greatest severity prohibited act, within 12 months for the same high severity prohibited act, and within 6 months for the same moderate severity prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. Any decision outside the suggested disallowance guidelines is to be documented and justified in the DHO report.

VCCLEA inmates rated as violent and PLRA inmates will ordinarily be disallowed good conduct time for each prohibited act they are found to have committed at a DHO hearing, consistent with the following;

- (1) Greatest Category Offenses. A minimum of 40 days (or, if less than 54 days are available for the prorated period, a minimum of 75% of available good time conduct) for each act committed.
- (2) High Category Offenses. A minimum of 27 days (or, if less than 54 days are available for the prorated period, a minimum of 50% of available good conduct time) for each act committed.
- (3) Moderate Category Offenses. A minimum of 13 days (or, if less than 54 days are available for the prorated period, a minimum of 25% of available good conduct time) for each act committed if the inmate has committed two or more moderate category offenses during the current anniversary period.
- (4) Low Moderate Category Offenses. A minimum of 6 days (or, if less than 54 days are available for the prorated period, a minimum of 12.5% of available good conduct time) for each act committed if the inmate has committed three or more low moderate category offenses during the current anniversary period.

However, the DHO may, after careful consideration of mitigating factors (seriousness of the offense, the inmate's past disciplinary record, or the lack of available good conduct time) choose to impose a lesser sanction, or even disallow no GCT for moderate and low moderate prohibited acts by VCCLEA inmates rated as violent or by PLRA inmates.

The DHO must thoroughly detail the rationale for choosing to disallow less than 13 days or 6 days respectively. This will be documented in Section VII of the DHO report. Disallowance of amounts greater than 13 days or 6 days respectively will occur with repetitive offenses consistent with the guidelines in this B.1.

The decision of the DHO is final and is subject only to review by the Warden to ensure conformity with the provisions of the disciplinary policy and by inmate appeal through the administrative remedy program. The DHO is to ensure that the inmate is notified that any appeal of a disallowance of good conduct time must be made within the time frames established in the Bureau's rule on administrative remedy procedures.

Except for VCCLEA inmates rated as violent or PLRA inmates, Sanction B.1 may be imposed on the Low Moderate category only where the inmate has committed the same low moderate prohibited act more than one time within a six-month period.

- C. Recommend disciplinary transfer: The DHO may recommend that an inmate be transferred to another institution for disciplinary reasons.

Where a present or impending emergency requires immediate action, the Warden may recommend for approval of the Regional Director the transfer of an inmate prior to either a UDC or DHO Hearing. Transfers for disciplinary reasons prior to a hearing before the UDC or DHO may be used only in emergency situations and only with approval of the Regional Director.

When an inmate is transferred under these circumstances, the sending institution shall forward copies of incident reports and other relevant materials with completed investigation to the receiving institution's Discipline Hearing Officer.

The inmate shall receive a hearing at the receiving institution as soon as practicable under the circumstances to consider the factual basis of the charge of misconduct and the reasons for the emergency transfer. All procedural requirements applicable to UDC or DHO hearings contained in this rule are appropriate, except that written statements of unavailable witnesses are liberally accepted instead of live testimony.

The receiving institution does not need to hold a new UDC hearing if such a hearing was held by the sending institution prior to the inmate's transfer.

- D. Disciplinary segregation: The DHO may direct that an inmate be placed or retained in disciplinary segregation pursuant to guidelines contained in this rule. Consecutive disciplinary segregation sanctions can be imposed and executed for inmates charged with and found to have committed offenses that are part of different acts only. Specific limits on time in disciplinary segregation are based on the severity scale.
- E. Make monetary restitution: The DHO may direct that an inmate reimburse the U.S. Treasury for any damages to U.S. Government property that the individual is determined to have caused or contributed to.

An inmate's commissary privileges may be suspended or limited until restitution is made.

- F. Withholding statutory good time: The DHO may direct that an inmate's good time be withheld. Withholding of good time should not be applied as a universal punishment to all persons in disciplinary segregation status. Withholding is limited to the total amount of good time creditable for the single month during which the violation occurs.
- G. Loss of privileges: commissary, movies, recreation, etc.: The DHO or UDC may direct that an inmate forego specific privileges for a specified period of time. Ordinarily, loss of privileges is used as a sanction in response to an abuse of that privilege; e.g., loss of telephone privileges for a specified period of time for an abuse of the telephone privilege.

However, loss of leisure privileges, such as movies, television, and recreation, may be appropriate sanctions in some cases for misconduct which is not related to the privilege.

- H. Change housing (quarters): The DHO or UDC may direct that an inmate be removed from current housing and placed in other housing.
- I. Remove from program or group activity: The DHO or UDC may direct that an inmate forego participating in any program or group activity for a specific period of time.
- J. Loss of job: The DHO or UDC may direct that an inmate be removed from present job or be assigned to another job.
- K. Impound inmate's personal property: The DHO or UDC may direct that an inmate's personal property be stored in the institution (when relevant to offense) for a specific period of time.
- L. Confiscated contraband: The DHO or UDC may direct that any contraband in the possession of an inmate be confiscated and disposed of appropriately.
- M. Restrict quarters: The DHO or UDC may direct that an inmate be confined to quarters or in its immediate area for a specified period of time.
- N. Extra Duty: The DHO or UDC may direct that an inmate perform tasks other than those performed during regularly assigned institutional job.
- O. Reprimand: The DHO or UDC may reprimand an inmate either verbally or in writing.
- P. Warning: The DHO or UDC may verbally warn an inmate regarding committing prohibited act(s).

NOTE: Although not considered sanctions, the UDC or DHO may recommend classification or program changes. For example, the DHO may recommend an inmate's participation in, or removal from, a particular program. When this occurs, a final decision will ordinarily be made in accordance with the established procedures for deciding that issue. In the example cited above, a referral would be made to the inmate's unit team for a decision on the recommendation.

The decorative fence surrounding the areas of the compound represents the perimeter boundary of FPC Yankton. The fence area is off limits unless you are assigned to that area for work or at the direction of a staff member.

In addition, inmate foot traffic is limited to the main sidewalks of the institution. Walking on the grassy areas is prohibited unless you are assigned to that area for work or otherwise authorized by staff. The only exception to this "keep off the grass" rule is the area north of the tennis courts where the benches may be utilized.

Inmates are subject to disciplinary action if found in an unauthorized area. If in doubt, ask!



[TIME LIMITS IN DISCIPLINARY PROCESS]

TABLE 2

1.	<u>Staff becomes aware of inmate's involvement in incident.</u>	
	ordinarily maximum of 24 hours	
2.	<u>Staff gives inmate notice of charges by delivering Incident Report.</u>	
	maximum ordinarily of 3 work days from the time staff became aware of the inmate's involvement in the incident. (Excludes the day staff become aware of the inmate's involvement, weekends, and holidays.)	
		3. <u>Initial hearing (UDC)</u>
	minimum of 24 hours (unless waived)	
4.	<u>Discipline Hearing Officer (DHO) Hearing</u>	

NOTE: These time limits are subject to exceptions as provided in the rules.

Staff may suspend disciplinary proceedings for a period not to exceed two calendar weeks while informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may reinstitute disciplinary proceedings at the same stage at which suspended. The requirements then begin running again, at the same point at which they were suspended.]

GREATEST CATEGORY

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
100	Killing	A. Recommend parole date rescission or retardation.
101	Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)	B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
102	Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution <u>with</u> violence	B.1 Disallow ordinarily between 50 and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
103	Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g. in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)	C. Disciplinary Transfer (recommend).  D. Disciplinary segregation (up to 60 days).  E. Make monetary restitution.  F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed).  G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).]

[TABLE 3 (Cont'd)]

GREATEST CATEGORY (Cont'd)

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
104	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition	Sanctions A-G]
105	Rioting	
106	Encouraging others to riot	
107	Taking hostage(s)	
108	Possession, manufacture, or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade)	
109	(Not to be used)	
110	Refusing to provide a urine sample or to take part in other drug-abuse testing	
111	Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
112	Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
113	Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
197	Use of the telephone to further criminal activity.	

[TABLE 3 (Cont'd)  
GREATEST CATEGORY (Cont'd)]

CODE	PROHIBITED ACTS	SANCTIONS
198	Interfering with a staff member in the performance of duties. ( <u>Conduct must be of the Greatest Severity nature.</u> ) This charge is to be used only when another charge of greatest severity is not applicable.	Sanctions A-G]
199	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. ( <u>Conduct must be of the Greatest Severity nature.</u> ) This charge is to be used only when another charge of greatest severity is not applicable.	

[TABLE 3 (Cont'd)]  
HIGH CATEGORY

CODE	PROHIBITED ACTS	SANCTIONS
200	Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions-- <u>without</u> violence.	A. Recommend parole date rescission or retardation.
201	Fighting with another person	B. Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
202	(Note to be used)	
203	Threatening another with bodily harm or any other offense	
204	Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing	B.1 Disallow ordinarily between 25 and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
205	Engaging in sexual acts	
206	Making sexual proposals or threats to another	
207	Wearing a disguise or a mask	
208	Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure	C. Disciplinary Transfer (recommend). D. Disciplinary segregation (up to 30 days). E. Make monetary restitution.
209	Adulteration of any food or drink	F. Withhold statutory good time]
210	(Not to be used)	
211	Possessing any officer's or staff clothing	

[TABLE 3 (Cont'd)  
HIGH CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS	
212	Engaging in, or encouraging a group demonstration	G.	Loss of privileges: commissary, movies, recreation, etc.
213	Encouraging others to refuse to work, or to participate in a work stoppage	H.	Change housing (quarters)
214	(Not to be used)	I.	Remove from program and/or group activity
215	Introduction of alcohol into BOP facility	J.	Loss of job
216	Giving or offering an official or staff member a bribe, or anything of value	K.	Impound inmate's personal property
217	Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes	L.	Confiscate contraband
218	Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value	M.	Restrict to quarters]
219	Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored.)		

[TABLE 3 (Cont'd)]  
HIGH CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS
220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)	Sanctions A-M]
221	Being in an unauthorized area with a person of the opposite sex without staff permission	
222	Making, possessing, or using intoxicants	
223	Refusing to breathe into a breathalyser or take part in other testing for use of alcohol	
224	Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)	
297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).	
298	Interfering with a staff member in the performance of duties. ( <u>Conduct must be of the High Severity nature.</u> ) This charge is to be used only when another charge of the high severity is not applicable.	
299	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. ( <u>Conduct must be of the High Severity nature.</u> ) This charge is to be used only when another charge of high severity is not applicable.	

[TABLE 3 (Cont'd)]  
MODERATE CATEGORY

CODE	PROHIBITED ACTS	SANCTIONS
300	Indecent Exposure	A. Recommend parole date rescission or retardation.
301	(Not to be used)	
302	Misuse of authorized medication	B. Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
303	Possession of money or currency, unless specifically authorized, or in excess of the amount authorized	
304	Loaning of property or anything of value for profit or increased return	
305	Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels	
306	Refusing to work, or to accept a program assignment	
307	Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)	B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
		C. Disciplinary Transfer (recommend).
		D. Disciplinary segregation (up to 15 days).
		E. Make monetary restitution.
308	Violating a condition of a furlough	F. Withhold statutory good time.]
309	Violating a condition of a community program	
310	Unexcused absence from work or any assignment	
311	Failing to perform work as instructed by the supervisor	
312	Insolence towards a staff member	



[TABLE 3 (Cont'd)  
MODERATE CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS	
313	Lying or providing a false statement to a staff member.	G.	Loss of privileges: commissary, movies, recreation, etc.
314	Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)	H.	Change housing (quarters).
		I.	Remove from program and/or group activity.
		J.	Loss of job.
		K.	Impound inmate's personal property.
315	Participating in an unauthorized meeting or gathering	L.	Confiscate contraband.
316	Being in an unauthorized area	M.	Restrict to quarters.
317	Failure to follow safety or sanitation regulations	N.	Extra duty.]
318	Using any equipment or machinery which is not specifically authorized		
319	Using any equipment or machinery contrary to instructions or posted safety standards		
320	Failing to stand count		
321	Interfering with the taking of count		
322	(Not to be used)		
323	(Not to be used)		
324	Gambling		
325	Preparing or conducting a gambling pool		
326	Possession of gambling paraphernalia		
327	Unauthorized contacts with the public		
328	Giving money or anything of value to, or accepting money or anything of valu		

e from: another inmate, or any other person  
without staff authorization

[TABLE 3 (Cont'd)  
MODERATE CATEGORY (Cont'd)]

CODE	PROHIBITED ACTS	SANCTIONS
329	Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less	Sanctions A-N]
330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards	
331	Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics)	
332	Smoking where prohibited	
397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).	
398	Interfering with a staff member in the performance of duties. ( <u>Conduct must be of the Moderate Severity nature.</u> ) This charge is to be used only when another charge of moderate severity is not applicable.	
399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. ( <u>Conduct must be of the Moderate Severity nature.</u> ) This charge is to be used only when another charge of moderate severity is not applicable.	

[TABLE 3 (Cont'd)]  
LOW MODERATE CATEGORY

CODE	PROHIBITED ACTS	SANCTIONS
400	Possession of property belonging to another person	B.1 Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).] (See Chapter 4 Page 16 for VCCLEA violent and PLRA inmates.)
401	Possessing unauthorized amount of otherwise authorized clothing	
402	Malingering, feigning illness	
403	Not to be used	
404	Using abusive or obscene language	
405	Tattooing or self-mutilation	[E. Make monetary restitution. F. Withhold statutory good time. G. Loss of privileges: commissary, movies, recreation, etc. H. Change housing (quarters). I. Remove from program and/or group activity.]
* 406	Not to be Used *	
407	Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)	
408	Conducting a business	
409	Unauthorized physical contact (e.g., kissing, embracing)	
* 410	Unauthorized use of mail (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G) (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use; e.g., the mail is used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, Assault)	

[TABLE 3 (Cont'd)]  
LOW MODERATE CATEGORY (Cont'd)

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
		J. Loss of job.
497	Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list). *	K. Impound inmate's personal property. L. Confiscate contraband. M. Restrict to quarters.
498	Interfering with a staff member in the performance of duties. <u>Conduct must be of the Low Moderate Severity nature.)</u> This charge is to be used only when another charge of low moderate severity is not applicable.	N. Extra duty. O. Reprimand. P. Warning.
499	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. <u>(Conduct must be of the Low Moderate severity nature.)</u> This charge is to be used only when another charge of low moderate severity is not applicable.	

**NOTE:** Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offenses itself.]

When the prohibited act is interfering with a staff member in the performance of duties (Code 198, 298, 398, or 498), or Conduct Which Disrupts (Code 199, 299, 399, or 499), the DHO or UDC, in its findings, should indicate a specific finding of the severity level of the conduct, and a comparison to an offense (or offenses) in that severity level which the DHO or UDC finds is most comparable.

**Example:** "We find the act of \_\_\_\_\_ to be of High severity, most comparable to prohibited act Engaging in a Group Demonstration."

Sanction B.1 may be imposed on the Low Moderate category **only** where the inmate has committed the same low moderate prohibited act more than one time within a six-month period except for a VCCLEA inmate rated as violent or a PLRA inmate (See Chapter 4, Page 16).

[TABLE 5]

SANCTIONS FOR REPETITION OF PROHIBITED ACTS WITHIN SAME CATEGORY

When the Unit Discipline Committee or DHO finds that an inmate has committed a prohibited act in the Low Moderate, Moderate, or High category, and when there has been a repetition of the same offense(s) within recent months (offenses for violation of the same code), increased sanctions are authorized to be imposed by the DHO according to the following chart. (Note: An informal resolution may not be considered as a prior offense for purposes of this chart.)

<u>Category</u>	<u>Prior Offense (Same Code) Within Time Period</u>	<u>Frequency of Repeated Offense</u>	<u>Sanction Permitted</u>
Low Moderate (400 Series)	6 months	2d offense	Low Moderate Sanctions plus 1. Disciplinary segregation, up to 7 days.  2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended).
		3d offense, or more	Any sanctions available in Moderate (300) and Low Moderate (400) series.
Moderate (300 Series)	12 months	2d offense	Moderate Sanctions (A,C,E-N) plus  1. Disciplinary segregation, up to 21 days

[TABLE 5 (Cont'd)]

<u>Category</u>	<u>Prior Offense (Same Code) Within Time Period</u>	<u>Frequency of Repeated Offense</u>	<u>Sanction Permitted</u>
			2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
	or more	3d offense, available in	Any sanctions in Moderate (300) and High (200) series.
High (200 Series)	18 months	2d offense	High Sanction (A,C,E-M), plus
			1. Disciplinary segregation, up to 45 days.
			2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
		3d offense	Any sanction available in High or more (200) and Greatest (100) series.]

[TABLE 6

SANCTIONS BY SEVERITY OF PROHIBITED ACT, WITH ELIGIBILITY FOR RESTORATION OF FORFEITED AND WITHHELD STATUTORY GOOD TIME

<u>Severity of Act Seq1</u>	<u>Sanctions</u>	<u>Max.Amt. Forf. GT1</u>	<u>Max.Amt. W/hd SGT</u>	<u>Elig. Restora tion Forf.SGT</u>	<u>Elig. Restora tion W/hd/SGT</u>	<u>Max. Dis</u>
Greatest	A-F	100% days	Good time creditable for single month	24 mos	18 mos	60
High	A-M	50% or days 60 days, whichever is less	during which violation occurs. Applies to all categories.	18 mos	12 mos	30
Moderate	A-N	25% or days 30 days, whichever is less		12 mos	6 mos	15
Low/Moderate offense)	E-P	N/A		N/A (1st offense)	3 mos	N/A (1st
days offense)				6 mos. (2nd or 3rd offense		7 (2nd
days offense) ]				in same category within six months)		15 (3rd *

1 See Table 5, SANCTIONS FOR REPETITION OF PROHIBITED ACTS WITHIN SAME CATEGORY, on Page 22 of this Chapter. Forfeited good conduct time will not be restored ("GT" in Table 6 represents both good conduct and statutory good time.)

**[NOTE: In Table 6 headings, "GT" represents both good conduct and statutory good time and "SGT" represents statutory good time. Forfeited good conduct time is not eligible for restoration. Restoration of statutory good time will be approved at the time of initial eligibility only when the inmate has shown a period of time with improved good behavior. When the Warden or his delegated representative denies restoration of forfeited or withheld statutory good time, the unit team shall notify the inmate of the reasons for denial. The unit team shall establish a new eligibility date, not to exceed six months from the date of denial.]**

**[TABLE 6 (Cont'd)]**

To ensure an inmate's case is not overlooked when statutory good time has been forfeited or withheld, the unit team must review the eligibility requirements for restoration in accordance with the time frames established by the Program Statement on Classification and Program Review of Inmates. A recommendation of the unit team, whether for or against restoration, must be forwarded (on BP-389/Record Form 84) to the Warden, through the DHO and Captain for disposition. Except as noted below, eligibility for restoration of withheld or forfeited statutory good time is computed from the date of the withholding or forfeiture action by the DHO. An inmate who has escaped and receives a forfeiture at a subsequent in absentia hearing begins the eligibility for restoration period upon return to custody of the Bureau of Prisons. The Warden will refer for approval of the Regional Director a case where the Warden determines exceptional circumstances support restoration of statutory good time prior to completion of the eligibility requirements.

**[An inmate with an approaching parole effective date, or an approaching mandatory release or expiration date who has forfeited good time may be placed in a Community Treatment Center only if that inmate is otherwise eligible under Bureau policy, and if there exists a legitimate documented need for such placement. The length of stay at the Community Treatment Center is to be held to the time necessary to establish residence and employment.]**